¿Militares Militantes?
Chilean Civil-Military Relations in 2001

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Introduction

The Chilean nation is one of extremes and opposites. Its boggling geography runs from the world's most arid desert to Antarctica. The Andes and the highest mountain in the Western hemisphere mark one of the longest national borders in the world, while the immense coastline grants Chile a commanding presence in the Pacific ocean. Chile's history has reflected these geographical extremes that mark its borders. The colonial and independence periods left Chile with a heavy European influence despite its location in Latin America. Although not as European as Argentina, Chile has lacked the heavy indigenous influence of the rest of Latin America. In the second half of the twentieth century, extremes manifested themselves in the Chilean economy and political system. The economic development of the country exacerbated the stratification of rich and poor, while the political left and right slowly polarized. These irreconcilable opposites soon brought the Chilean state to systemic breakdown.

The complex crisis of the 1970s saw Chilean political extremes take on leftist anti-military and rightist pro-military attitudes. Chile's motto, *Por la Razón o la Fuerza* (By Reason or By Force), predates this crisis and encapsulates the conflict that swept the nation. In 1973, reason failed and force came to rule the land. Once a model stable democracy for Latin America, Chile suddenly became synonymous with a notoriously authoritarian military regime. Yet within Chile, the violence deepened the divide between the military's supporters and detractors. While some saw Chile's military rulers as megalomaniacal devils, for others they were patriotic liberators. Today, with the military regime's end more than a decade behind, Chile continues to struggle at finding a way for its extremes to coexist. While the left and right have competed peacefully in elections, old animosities remain both in the political realm and in the society at

large. But the divide between the military and the civilian government stands as the key dichotomy in analyzing the success of Chile's transition from authoritarian rule to a fully consolidated democracy.

The military has been an integral part of Chilean society since the era of independence. Playing a formative role in the establishment and development of the nation, the military became less important as Chile evolved into a model democracy in Latin America. However, in the 1970s and 1980s, the military took a more central role than ever before with the military regime of Augusto Pinochet. For 17 years, the military under Pinochet ruled Chile and shaped its future, leaving a lasting mark on the Chilean political system. Although no longer in government, the Chilean military remains on center stage in any study of Chile and its reborn democracy. For better or for worse, civil-military relations mark the epicenter of democratic consolidation in Chile.

In a postauthoritarian democracy like Chile, civil-military relations can be analyzed along a spectrum of democratic control. In an ideal democracy, the military fully subordinates itself to the civilian government. A military dictatorship, where the military answers to no one, stands as the antithesis of civilian control. Even after leaving power an authoritarian military may try to exercise control over the new civilian government. This situation, known as military tutelage, marks one boundary on a spectrum of postauthoritarian civil-military relations. Chile proves a unique case study as it has moved along this spectrum over the last decade.

The Pinochet regime put in place a restrictive structure for democracy upon its departure, hoping to give the military a tutelary role. The 1980 Constitution written by the Pinochet regime embodies the most important democratic constraints. The constitution grants the military an unelected presence in both the executive and legislative branches of government. The tutelage

plan further intended to mold a political system that would favor the military's conservative civilian allies. Additionally, the constitution and other laws insulated the military institution from civilian control over the armed forces' internal administration and budget.

After the military left power in 1990, civil-military relations were tense at best. Pinochet himself remained a preeminent presence, keeping his post as army commander in chief. The first years of postauthoritarian democracy were a standoff between the military and the new president Patricio Aylwin. Aylwin's stubborn but careful resistance to the military's program, as well as the efforts of his successor Eduardo Frei, succeeded in preventing military tutelage from taking hold, but civil-military relations stagnated. Relations remained static and antagonistic, showing little prospect for improvement. While the military did not run the show anymore, they were not subordinated to the civilian government.

The logjam broke in 1998, with the end of the Pinochet era. Soon after retiring from his army post and becoming "senator for life," British authorities arrested Pinochet in London and a long series of still-unresolved legal battles began over the actions of the military regime. During Pinochet's detention in London, Chile elected a Socialist president, the third consecutive president from the center-left *Concertación*. Within the armed forces, meanwhile, a new generation of leadership took a new attitude towards civil-military relations. Not only has Pinochet's prosecution failed to induce any violent reaction from the military, but the past three years have seen unprecedented cooperation between the military and the civilian government on highly sensitive issues. While Chile remains divided by the violence of the past, the new political atmosphere at the elite level favors addressing the past to move beyond it.

Simultaneous forces of change are at play within the military institution itself. Generational change in the officer corps, particularly in the high command, slowly and

subconsciously distances the military institution from the past. But the new military leadership has also brought fully conscious reforms to the military. The Chilean armed forces are undergoing a fundamental modernization in both technological and administrative aspects. While these new leaders and their reforms do not seek to wholly abandon the past, their focus on the future and not the past bodes well for Chilean democracy. More importantly, the forces of reform speak to the emergence of a Chilean military less worried about politics and more worried about how to best perform its mission of national defense.

The Chilean military, and its seventeen-year regime, has inspired bitter debate and a vast body of literature throughout the world. The violence that characterized the regime, particularly in its early years, brought an international outcry against violations of basic human rights. Others have focused on the political and economic turmoil before, during and after the regime. Some vehemently condemn the military regime's actions while others defend it with equal fervor. This still-running debate addresses complicated questions of democracy, development, human rights and civil-military relations in the developing world. Yet the debate over the Chilean case has been a static one over the last quarter century. Analysts broke down along liberal and conservative lines and each side formed a canon of opinion on the Chilean military regime. This divide reflected the infinitely deeper divide in Chile itself between the military and its conservative civilian allies, and the opposition.

Even following the transition back to democracy in 1990, many have continued to use the same paradigm to look at Chile. This view considers the Chilean military as essentially the same institution that ruled the country from 1973 to 1990, seeking to impose its will on the country at every opportunity. This military could not exert such influence as it had while in power, but refused to fully subordinate itself to the civilian government and would certainly never renounce its past. From this perspective, the Chilean military provided dogged resistance to the

consolidation of democracy and looked unlikely to stand down.

This view held a certain degree of validity in the initial post transition period. Through the first years of the new Chilean democracy, the military under Pinochet jealously guarded its privileged position. But since 1998 the rules of the game have changed fundamentally. Civil-military relations in Chile have entered a new dynamic phase, opening the door for both sides to put the past behind them and get on with the business of a modern consolidated democracy.

Change comes slowly, and all things military remain highly sensitive in Chile due to the violence and repression under the Pinochet regime. However, at the conclusion of current President Ricardo Lagos' term, the *Concertación* will have held power almost exactly as long as Pinochet. This looks to be just enough time to undo the hindrances put on Chilean democracy by the military while preserving the stability and economy it inherited from the Pinochet regime's austerity. The static past has given way to a new dynamism. The ruling moderates in the government and the military have demonstrated their desire to use this opening for the resolution of the past and the consolidation of Chilean democracy.

This thesis examines the Chilean military as an institution in a state of dynamic evolution. For many years a static conception of the Chilean armed forces and their relations with democratic government proved sufficient. From 1973 until 1998, the Chilean military institution remained inseparable from Pinochet. However, the last three years have shown that the armed forces have an identity independent of Pinochet and his legacy. For the military, the legacy of the Pinochet era has become an obstacle to be overcome rather than a guide for interacting with the government. Legal proceedings and Pinochet's failing health have reduced him to a passive and symbolic figure. This marginalization, and his impending final departure, has given the key actors in the government and the military the freedom to drop the antagonism of the last decade

and reach compromise.

Human rights remain a central issue, but recent developments and research indicate that the essential actors have become resigned to compromise for the sake of reconciliation. The military has made unprecedented conciliatory gestures that its opponents will have to accept. Naturally, human rights groups and more strident military supporters have shown their dissatisfaction with such concessions. But although incomplete and imperfect, this path to reconciliation has yielded success so far and shows every sign of long-term viability.

Since the military regime, civil-military relations have passed through antagonism to engagement and eventual cooperation. The constraints put on Chilean democracy by the outgoing military regime failed to take root as military tutelage. While these remaining prerogatives are certainly undemocratic, their actual detrimental effect on Chilean democracy has become minimal. As we shall see at the end of this analysis, the longevity the *Concertación's* long tenure in the presidency has actually turned some of the military's intended prerogatives against their authors. Reduction of these undemocratic aberrations to little more than vestiges has moved Chilean democracy further down the consolidation path. The military's programs of modernization, educational reform and reform to the conscription system together indicate the institution's forward thinking and its commitment to a peaceful, adaptable role in Chilean democracy. With this type of consensus within the civilian and military leadership, only formalities remain for the final consolidation of Chile's democracy.

This thesis draws on the author's experience in Chile in 1999 and field research conducted in Santiago in January 2001. Interviews with current and retired military officers opened a perspective for viewing the institution internally. The overwhelming presence of Pinochet in the past veiled the military institution that lay beneath this facade. The general's

legacy continues to obscure analysis of the Chilean armed forces, but the unforeseen changes of the last few years merit a fundamental reexamination of the institution. A new analysis must look not just beneath the Pinochet facade, but fully inside the military institution.

This study begins by laying out a theoretical framework on which to work. In the Chilean case, as with dozens of other postauthoritarian states, democratization theory and civil-military relations theory become inextricable. To understand the interaction of militaries and governments in a posttransition democracy, we must locate the source of a military's institutional strength, how this institution interacts with civilian institutions and how the civilian government might exercise control over the military. These issues provide a measure for rating the democratization of a nation with an insubordinate military.

Following the theory, the unique nature of the Chilean case demands some treatment of how the military evolved along with the nation. Within the history of the Chilean military regime lie the keys to understanding the positions of the central players in the current civil-military debate. Further, the recent history of the last decade not only sets the stage for the fascinating developments now taking place, but also provides a stark contrast to the scene today. A thorough theoretical and historical examination of the Chilean case put together with a fresh analysis of the dynamically changing Chilean military institution questions the validity of the canonical treatment of Chile in democratization literature. While Chile stands as a truly unique case, it yields valuable lessons on pacted transitions, as well as postauthoritarian democratization and reconciliation. Though many reservations about Chilean democracy remain valid, this study builds a clear optimism for the future of Chilean civil-military relations and the health of Chilean democracy.

Chapter One:

The Theoretical Context

"No conflict need arise any longer between political and military interests... and should it arise it will show no more than a lack of understanding."
-Carl von Clausewitz, 1832[1]

Classical Civil-Military Relations Theory

At the most fundamental level, any state must hold among its primary duties the safeguarding of state sovereignty. Without state-sponsored security, no other agency or actor within or without government possesses the freedom to carry out its business. From the physical safety of its citizens to the economic and political solvency of the nation, every level of society demands the state's protection. This need for security transcends ideology and development, as states around the world different in philosophy and geography must provide for this basic necessity. Samuel Huntington points to "the permanency of insecurity and the inevitability of war:"

> In a world of independent nation states, the problem of military security is never finally solved. Competition among the states is continuous, and war is only an intensification of this competition that brings to a crisis the ever-present issue of military security. War is always likely and is ultimately inevitable. Its immediate causes spring from conflicting state policies, but its fundamental causes lie deep in human nature where exist the sources of all human conflict.[2]

Huntington may seem overly pessimistic and cynical, like Clausewitz before him, but his characterization of inevitable conflict cannot be avoided, even in the quest to minimize war. But without delving further into the extensive *realpolitik* theoretical literature, the basic factual

[1]Carl von Clausewitz, *On War*, Ed. and trans. by Michael Howard and Peter Paret (Princeton: Princeton University Press, 1976), 607.

[2]Samuel P. Huntington, *The Solider and the State* (Cambridge: Harvard University Press, 1957), 65.

nature of our world is such that armed forces must exist.

In today's world globalization has broadened the menu of means to state security, but not the end. While strategic alliances and international diplomacy have brought an international security regime a few steps closer, nearly all the nations of the world rely upon a national military as the ultimate guarantor of their national security.

In a democracy the people, by a variety of means, therefore license the state military's monopoly on the use of armed force. Beyond the imperative that justifies the existence of militaries in our world, a normative concern dictates the use of armed force by a state. This normative question still transcends ideology, for a state may choose to employ force for subjective reasons of fear, greed, compassion, or out of belief in some objective protection of what is right and good. What brings us to the study of civil-military relations is a belief in the self-determination of a state, and that this state represents the interests of its citizens and in response to the will of its citizens. Therefore the idea of "civil-military relations" assumes that the civilian government, as the citizens' agent should control the military. Since popular consent legitimates this control, the study of civil-military relations further presumes the existence of a broadly conceived democracy.

This concept of the military as a servant of the societal good begins to define its professional nature. Huntington states that the most basic thesis of his book concerns the definition of the modern military as a profession. In his seminal work on civil-military relations, professionalism becomes the key to understanding and analyzing the military and how it relates to a civilian government and society. While professionalism certainly varies within and among militaries, Huntington highlights a few universal characteristics that make the life of a modern military officer a profession rather than a mere vocation. Three chief elements unite military

officers within a profession, similar to doctors or lawyers: "expertise, responsibility and corporateness."[3] Expertise refers to the requirement of many years of specialized study to gain the skills not possessed by any other sector of the population. Responsibility, as mentioned above, speaks to a belief that military officers, like doctors and lawyers, ultimately work for the good of the society, rather than simply a paycheck. While the professional officer may rightly be concerned with salary, the officer is held to a higher code that assures the functioning of society. Finally, the military profession has a corporate nature that not only distinguishes its members from the general population, but also internally regulates itself for the long-term preservation of the institution.

Huntington's model of military professionalism reflects the Prussian military ideal. This design for a modern military arose in Prussia following its initial defeat by Napoleon at the beginning of the 19th century. Motivated by this humiliation and the persistently unstable and hostile Europe around it, Prussia developed a modern military force that forever changed the history of Europe and became the model on which Western militaries were largely based. Huntington underscores the catalyst of national security, stating that "as the most militarily insecure major power in Europe, it was hardly surprising that Prussia pioneered in creating a professional officer corps."[4] The Prussian system, as laid out by Scharnhorst, Moltke and Clausewitz, left behind the haphazard organization, regulation and strategy of the past, creating a military science.[5] Previously, armies had been temporary organizations "raised" in time of war and led by the social elite. When the war ended, everyone returned to civilian life. The Prussian reforms created a permanent institution: a "standing army" that trained for perfection in the profession and was led by a perpetuating officer corps. The Prussians did away with much of the military aristocracy, installing an ordered system of promotion based on merit and seniority,

[3] *Ibid*., 8.
[4] *Ibid*., 33.
[5] See Michael Howard, *Clausewitz* (New York: Oxford University Press, 1983).

rather than wealth or family prestige. Inept commanders were discharged en masse to revitalize the officer corps as a meritocracy, while universal service requirements were imposed to fill the ranks of enlisted men. Rigid discipline and training held the hierarchy together-- the Prussian drill and ceremony copied throughout the world was only one visible example of the order brought to the military. Naturally, aristocratic vestiges persisted and the Prussian army left much to be desired, but the extent of the reform and the legacy of the Prussian ideal cannot be understated. Clausewitz's *On War*, in laying out the Prussian system, became the bible of military science to many, and remains the work to which any theory of military science must respond. While *On War* bogs down in abstract strategy, Clausewitz put military science on sound theoretical footing by explaining the nature of war and describing the military as a profession. Huntington thus rightly traces the development of military professionalism through the 19th century, when the Prussian system and philosophy was revered throughout the West.

In fostering expertise and corporateness, military education becomes the cornerstone. Education not only develops the skills of leadership and military science within an officer, but also instills an appreciation for the all-important structure of an army. The discipline contained in chains of command and supply require a uniquely military education. Without this education no officer can understand the overall functioning of a military force and his place in it. Prussia led the way in advanced military education for all other western powers, with Scharnhorst's establishment of the *Kriegsakademie* in 1810. Other nations followed the Prussian example as it proved effective. While the British began to follow the Prussian education formula relatively quickly, the French did not realize its value until Prussia's rapid victory in the 1870-1871 Franco-Prussian War. To highlight the importance of education as demonstrated by the 19th century Prussian army, Huntington quotes an Englishman who wrote in 1859:

> The fact that education is the be-all and end-all of the Prussian officer, is a potent lever in causing him to perfect himself in his profession; and the certainty of promotion through merit and not from caprice, sets the whole of Prussian officers far above those whom we

find in the English army.[6]

We shall return more specifically to the importance of military education and its Prussian legacy, but even more innovation arose out of the Prussian-Clausewitzean ideal. Huntington dismisses Clausewitz's 19th century theories of tactics and strategy as outdated and of secondary importance, but reads his discussion of the relation of war and politics as the first theoretical *raison d'être* for a military profession. The combination of a rigid hierarchy and a clearly defined professionalism set the basis for studying civil-military relations. As Huntington points out, in formulating the first theoretical rationale for the military profession, Clausewitz also contributed the first theoretical justification for civilian control."[7]

Professionalism enters into the highest plane of civil-military relations in terms of how a civilian government can consolidate control over its national military. Huntington delineates two chief strategies for civilian control, characterized by their subjective or objective natures. While subjective civilian control seeks to maximize the power of civilian institutions, objective civilian control derives from the professionalization of the military. By definition, societal duty demands the loyalty of the military to the legitimately constituted authority of a nation. Huntington argues further that a situation where the legitimate authority is uncertain makes military professionalism practically impossible by superimposing "political considerations and values upon military consideration and values."[8] But one of the first holes in Huntington's theory appears here. Firstly, this theory assumes that "legitimate authority," or political stability precede the development of military professionalism. It does not fully account for the waxing and waning of these two independently developed achievements. Can a quality as multi-faceted as relative military professionalism be said to disappear when the legitimate authority falls into uncertainty? Secondly, Huntington states clearly that the military's entrance into politics questions the

[6]Huntington, *Solider and the State*, 53.
[7]*Ibid*., 58.
[8]*Ibid*., 35.

legitimate authority to an extreme, and certainly eliminates professionalism. But how can professionalism be rated or measured when the military leaves power?

Beyond Huntington: Outside the Classical Paradigm of Civil-Military Relations

These questions arise from a nuanced weaknesses in Huntington's theory. First, Huntington oversimplifies professionalism, particularly concerning the ideal of responsibility to the nation. This complication leads J. Samuel Fitch to reveal that "when applied outside of the European context for which it was originally formulated, Huntington's argument is conceptually and empirically deficient."[9] Any analysis of Latin America, for example, demands a more discerning understanding of Latin American culture, history and politics, especially in regard to the unique nature of loyalty and patriotism embodied in the concept of *la patria*. Roughly translated as "the fatherland," loyalty to *la patria* implies something far greater than nationalism or loyalty to the civilian government. *La patria* demands the defense of the nation, its history and its pride.[10]

While Latin American cases sparked Fitch's critique, Huntington's theory has a fundamental flaw in equating "loyalty" to "nationalism." Huntington's model works for what he calls the "classical professionalism" of Europe, yet the *profesionalismo* of Latin America developed a far different relation with the state. In this unique relationship, military professionalism and participation or intervention in politics are not mutually exclusive. But beyond accepting what Huntington deems impossible, Fitch goes so far as to say that, "in the Latin American context, higher levels of military professionalization have historically resulted in

[9]J. Samuel Fitch. *The Armed Forces and Democracy in Latin America (*Baltimore: Johns Hopkins University Press, 1998, 2.

[10]For further clarification of *la patria*, see Dauno Tótoro Taulis, *La Cofradía Blindada: Chile Civil y Chile Militar* (Santiago: Planeta Chilena S.A., 1998), 130-131. For an extensive exploration of *la patria* in English, see Brian Loveman, *For la Patria: Politics and the Armed Forces in Latin America.* (Wilmington: Scholarly Resources, Inc., 1999), especially his Introduction (xi-xxv) and Chapter Two: "Inventing la Patria." See also Fitch, 6.

more institutionalized military intervention in politics and high levels of military autonomy."[11]

How then, do we describe the nature of the Latin American model of military professionalism, and what are its causes? The origins of this model lie largely in the cultural-historical context dating to the era of colonialism and independence. Brian Loveman points to the "Iberian military tradition" inherited from Spain and Portugal, as well as the enduring instability of the independence period for the nations of Latin America. Following independence, much of Latin America experienced a period of domination by *caudillos*. These local strongmen, often military men, ruled over a region or entire country by force to preserve their elite position and economic interests. Under *caudillismo*, neither civilian nor military institutions could gain solid ground and develop. Government served as a tool of the feudal system for the profit of the *caudillos*. With a reliance on mercenary armies, no institutionalized or professional military could emerge. But as international trade and Latin American economies expanded, the resources became available to permit the true institutionalization of civilian governments and, in turn, national militaries. Economic development and industrialization are not sufficient to completely explain the rise of legitimate and democratic institutions, but are certainly necessary. Elements of caudillismo remained in various forms throughout Latin America, despite the institutionalization of democracy. Certainly, different nations developed at different rates, whether due to relative economic success, geography, or the presence of domestic and international conflicts. In parts of Latin America *caudillismo* exerts a profound influence to this day. Yet in those countries where democracy took a more solid institutional hold, efforts towards professional militaries followed. These wealthier and more developed Latin American nations invited European military missions to reform and train their unprofessional armies. These European professors, products of the late 19th century, brought the Prussian ideal of military discipline and professionalism to Latin America.

[11]Fitch, 3.

However, Fitch argues that the peculiarities of Latin America modified "classical professionalism" to a uniquely different model. First, the military was often called to a broader range of tasks in Latin America beyond the traditional defense of national borders. As in the United States, the armed forces in many parts of Latin America played a key role in the pacification or elimination of natives that went along with national expansion. But in addition to this domestic role, Latin American militaries were often called to suppress organized labor or groups, frequently socialist or communist, that the government found subversive. Secondly, the relative instability of many states and the frequent changes of power left no clear focus for military loyalty. In the absence of the civilian hegemony required by classical professionalism, the military gave its allegiance to *la patria*, or fatherland, that was something far more enduring and important than a temporary civilian government. As the military's and the civilian government's perceptions did not always coincide, these cases led to a "conditional military allegiance to civilian authority, in contrast to the unquestioning obedience stressed in classical European professionalism."[12]

The Chilean case represents an interesting paradox when considering these two models of professionalism as the basis for civil-military relations. Without fitting neatly into either category, Chile and its military demonstrate many of the characteristics of the classical model presented by Huntington, as well as the Latin American model laid out by Fitch. Since the 19th century Prussian reform mission, the Chilean army has possessed a profoundly Prussian character. A turbulent history has not shaken the traditionalism of the Chilean military, leading some to call Chile "the Prussia of South America." Indeed, Chile may possess the best current representation of the 19th century Prussian military ideal.

However, while Chile has a greater European influence than most other South American

[12] *Ibid*., 6.

nations (the obvious exceptions being Argentina and Uruguay), as well as more relative wealth, Chile is undeniably a Latin American nation. Language, culture, geography, history and politics all belie the fundamentally Latin American nature of the Chilean republic. In this sense, it would seem obvious that a Latin American ideal has far more relevance for the study of the Chilean military and its relations with democratic government. Nevertheless, the study of contemporary Chile must include the military, and involves both Prussian and Latin American ideals and influences.

Transitions to and from Democratic Government

Civil-military relations theory, like most of the West (within and without academia), assumes democracy to be the preferred form of government. Whether for reasons of self-determination, human rights, international peace or international capitalism, democracy in various forms is the basis or goal of the majority of the world's states. But the study of civil-military relations must account for the breakdown of relations between the military and the civilian government. Where the military overthrows a civilian government, as has happened frequently throughout history, civil-military relations and democracy fail. The link between civil-military relations and democracy becomes most clear in examining the rise and fall of military regimes. The analysis of posttransition civil-military relations requires the study of the democratization process, both in terms of the transition and consolidation.

A vast literature exists in democratization studies in the form of theory and case studies. A basic catalog of the types of transition lends a theoretical framework for positioning the actors, while assessing the nature and degree of consolidation yields clues to the future of democracy. Yet considerations of the type of regime must precede these analyses of the transition itself and ensuing consolidation.

The type of authoritarian regime holds fundamental importance for exploring the basis of

a transition to democracy. Huntington points out that authoritarian regimes have as their main characteristic only the absence of democracy, leaving a great deal of room for diversity. However for the purposes of analysis, he reduces the catalog of authoritarian regimes to three categories: "one-party systems, military regimes, and personal dictatorships."[13] Distinguished by who held (and would not relinquish) power, the category names are almost self-explanatory. In the first two categories, the institutionality of the regime must be underlined. In these systems, whether they be single party or military, the nominal head may change over time, as in a one-party system, or an oligarchic group may hold power, as with various military juntas. In contrast to the extended institutional nature of some authoritarian regimes, personal regimes focus all authority in one figure who ultimately oversees all power. Under a personal regime no one is independent of the sole authoritarian leader.

Huntington crafts a model which matches these types of regimes against certain types of transitions to democracy. In looking at the "Third Wave" of democratization that began in the 1970s, Huntington groups democratic transitions into three categories of transformation, replacement and transplacement.[14] To further simplify Huntington's simplification, transitions are placed into these categories based on who was responsible for the transition. In a "transformation," the authoritarian regime releases power willingly, while in a "replacement" transition the democratic opposition overthrows the regime. There is also a hybrid of the two, a "transplacement," whereby the regime elite and the opposition negotiate a transition to democracy jointly.

While the differences between a transformation and a replacement are clear, the lines on the continuum between the two blurs in trying to distinguish a transplacement from the other two

[13]Samuel P. Huntington, *The Third Wave: Democratization in the Late Twentieth Century* (Norman: University of Oklahoma Press, 1991), Pg. 110.
[14]*Ibid*., 114.

extremes. Replacements tend to be dramatic (or violent) enough to stand out, but the distinction between transformation and transplacements is especially difficult in the cases of "pacted" transitions or "tutelary regimes." These situations are not only historically applicable to transitions from military regimes, they also hold implications for posttransition civil-military relations.

A pacted transition closely follows Huntington's definition of a transplacement in that both regime and opposition take part in the transition-- the "pact" implies that both sides give their tacit consent to a negotiated transition. Both sides make certain concessions as part of the pact, in their own interests and that of the new democracy. While the regime in power makes the essential concession of stepping down, the opposition may have to concede certain prerogatives to the outgoing regime. These concessions are notable in the case of an institutional outgoing regime, particularly a military one, that will continue to exist within the democracy and has no intention of disappearing.

However, while these concessions of prerogatives achieve regime change, they generally decrease the degree of democracy reached. At a certain point the prerogatives conceded become so great as to create a "tutelary regime" where the former regime (generally the military) maintains a political role and effective veto over certain aspects of policy. In a military tutelary regime, the armed forces leave power and permit some democratic government, but retain a large element of control over civilian policies. The military may impose constraints on the civilian government's ability to control the military through the budget and administration. Additionally, a strongly ideological military may seek to exclude its ideological enemies from the political process as a condition for handing power over to a civilian government.

Defining transition and consolidation

At this point we must dispense with some semantics by clarifying definitions. There are two distinct processes involved here: first the democratic transition that takes power from the authoritarian regime, and second the typically lengthier process of democratic consolidation where institutions find a basis for the long term. Juan Linz and Alfred Stepan have published one of the most reputable works on this subject and I will borrow their definitions. To define a completed democratic transition, Linz and Stepan write:

> A democratic transition is complete when sufficient agreement has been reached about political procedures to produce an elected government, when a government comes to power that is the direct result of a free and popular vote, when this government *de facto* has the authority to generate new policies, and when the executive, legislative and judicial power generated by the new democracy does not have to share power with other bodies de jure.[15]

Linz and Stepan take heed to involve the true location of power in their definition to overcome the "electoralist fallacy" that assumes free elections alone to be sufficient for democracy. A military tutelary regime would interfere with this definition of democracy by limiting the government's de facto policymaking ability or forcing the civilian government to share power. Robert Dahl lays out seven conditions for a functional democracy, and the archetypal tutelary regime only interferes with the first stipulation that, "control over government decisions about policy is constitutionally vested in elected officials."[16] In all other ways, military tutelage does not necessarily interfere with a fully functional democracy. Policy control therefore remains the key issue.

But lest this careful definition seem complete, it only speaks to the completion of the initial transition. The consolidation of democracy proves an even more tasking to define. Linz

[15]Juan J. Linz and Alfred Stepan, *Problems of Democratic Transition and Consolidation* (Baltimore: Johns Hopkins University Press, 1996), 3.

[16]Robert Dahl, *Dilemmas of Pluralist Democracy* (New Haven: Yale University Press, 1982), 10. See also Phillipe Schmitter and Terry Karl's discussion of Dahl and these issues in "What Democracy is. . . And is Not," *Journal of Democracy* 2.3 (Summer 1991): 75-88.

and Stepan lay out two sets of characteristics or tests for consolidated democracies. The first test delineates three ways in which a democracy must be consolidated: behaviorally, attitudinally and constitutionally. To paraphrase Linz and Stepan, a democracy is consolidated when all actors behave as if democracy is "the only game in town," have an attitude that democracy is the only game in town, and are subject to a constitution that states democracy to be the only game in town.[17] These authors also point to five different arenas for political interaction as a further requirement for democratic consolidation. Their lengthy explanation will not be repeated here, but these five key arenas are "a free and lively civil society," "a relatively autonomous and valued political society," "a rule of law," a usable "state bureaucracy" and "an institutionalized economic society."[18]

Post-transition politics and strategy

Fitch argues that in addition to the above definition of democracy and many similar variations, "democracy also requires democratic civil-military relations" where the democratic government exercises control over the military.[19] As stated above, policy control stands as the true measure of tutelage versus true democracy. With this goal of democratic control, Fitch creates a scheme with four phases of "posttransition patterns of civil-military relations," running from "military control" to "democratic control," with the intermediates of "military tutelage" and "conditional subordination."[20] For our purposes, I adapt Fitch's scheme to a spectrum of democratic control ranging from "military tutelage" to "full democratic control."

[17] *Ibid*., 5-6.

[18] *Ibid*., 7-15. These terms are applicable as generally understood, however Linz and Stepan's clarification of what they mean by political and economic society deserves further attention.

[19] Fitch, 36.

[20] *Ibid*., 39.

Stages of Democratic Control

Military Tutelage	Gradual Subordination	Full Democratic Control
Military has direct and indirect ability to influence civilian government in many areas *Civilian government has no influence over military and defense policy*	*Elimination of military influence over policy outside its sphere* *Steady erosion of military's exclusive control over military and defense policy*	*Total policy control by civilian government* *Military participates in policy process but ultimate decisions rest with the civilian government*

At the extremes of this spectrum, one side is clearly subordinated to the other through complete policy control. Under tutelage, civilians are nominally in the position of government, but the military is still making all important decisions more or less behind the scenes. The intermediate stage is key in examining transition and consolidation, for here policy control gradually shifts from the military to the civilian government. Under military tutelage, the military maintains overt influence on policy made by the civilian government and remains highly autonomous. As the scope of military influence diminishes, relations enter the conditional subordination stage, where certain influence and military prerogatives remain, but the civilian government is able to exercise a level of policy control over the military. In these situations the armed forces generally avoid politics on issues outside of the area of military and defense policy, and will not manifest their precious autonomy unless they feel directly threatened. The civilian government will gain control over policy in general, eliminating the military's influence outside its own sphere. The government can then gradually reduce the military's autonomy over its own sphere and impose full civilian control over the armed forces. Nevertheless, the precise location of the democratic threshold remains somewhat ambiguous. A postauthoritarian state may enjoy a fully functional and consolidated democracy even if the military retains certain minor prerogatives. The more important question is how posttransition civilian governments can further military subordination and, subsequently, democratic consolidation.

In seeking to complete the transition and further consolidation, the new civilian

government must pursue some strategy to move along Fitch's scheme towards full civilian control. Claudio Fuentes, looking specifically at Latin America, lists three classes of strategy a post-transition government can follow with respect to the military: "division of spheres; noncooperation; and engagement."[21] A division of spheres strategy directs the civilian government to come to an understanding allowing the military to preserve its prerogatives over certain policy areas while guarding jealously the prerogatives left to civilians. The two camps mark their territory carefully and leave the other side alone. This strategy might aid a civilian government in moving from military tutelage to partial or conditional subordination. Since complete subordination remains a distant goal, the posttransition civilian government may opt to grant the military a large or secure sphere in order to enlarge its own sphere. One option within this strategy, known as the "Toys 'R Us" school, seeks to appease the armed forces by granting them their wishes within their sphere: "let the generals have their weapons [or 'toys'] and they will stay out of domestic politics."[22] However, Cruz and Diamint go on to dismiss the Toys 'R Us school because the modernization it implies does not entail professionalism and the bargain essentially amounts to internal extortion. Further, while a division of spheres strategy may aid in getting out from under a system of military tutelage by limiting the scope of military prerogatives, it makes further progress towards complete democratic control that much harder by fortifying the policy sphere controlled by the military.

In his model, Fuentes describes an active "noncooperation" that proves more antagonistic than either of the other two strategies. Actively seeking full subordination of the military, a noncooperative civilian government strives to "exclude the military from the decisionmaking process."[23] This strategy obviously entails certain risks for civil-military relations. While

[21]Claudio A. Fuentes. "After Pinochet: Civilian Policies Toward the Military in the 1990s Chilean Democracy," *Journal of Interamerican Studies and World Affairs* 42.3 (fall 2000): 119.

[22]Consuleo Cruz and Rut Diamint. "The New Military Autonomy in Latin America," *Journal of Democracy* 9.4 (winter 1998): 123.

[23]Fuentes, 119.

noncooperation may hold the better prospects for rapid movement towards complete democratic control and subordination, antagonism towards the military can set them stewing in the "bunker" or induce the armed forces to justify their return to power. The nature of the transition from authoritarian rule can figure prominently here. Depending on the strength and public support for the regime upon departure, the posttransition administration may or may not be able to risk such a bold strategy as noncooperation.

Finally, a posttransition government may elect to follow an engagement strategy to develop an atmosphere of trust and cooperation conducive to democratic control. Essentially the opposite of noncooperation in the means chosen towards the same end, engagement includes the armed forces in policy making. Engagement entails none of the risks of noncooperation by not antagonizing the military. The price, however, of peaceful and stable civil-military relations is slow or even backward progress towards democratic control. While diminishing the possibility of a military return to power, an atmosphere of engagement may make it rather difficult to reduce the sphere of prerogatives the military reserves for itself to a level compatible with consolidated democracy.

Conclusions

Despite the near universal desire for peace among modern nation states, we cannot escape the necessity of national armed forces. This reality, combined with a (somewhat less universal) preference for democratic nation states brings us to the study of civil-military relations. This science holds the ideal of a national military lending its loyalty to a democratically constituted civilian government. Military service to the state is embodied in the concept of military professionalism that forms a key tenet of classical civil-military relations theory. Any evaluation of a military as an institution depends largely on professionalism. However, professionalism as explained by Huntington stems from the Prussian military ideal. The Prussian military model

and ideal are essential for understanding the modern military and the basis of civil-military relations theory. Yet we must be cognizant of the fact that this "classical" model may not always be applicable, particularly in the contemporary age of globalization. Developments in the last fifty years from various corners of the world have exposed some weaknesses in this aspect of Huntington's theory. Fitch and Loveman, for example, begin to outline a more appropriate model for evaluating civil-military relations in Latin America. Nevertheless, neither a classical approach nor a contemporary hybrid of Fitch and Loveman will suffice alone in examining the nuanced case of the Chilean military and its relations with civilian government.

In cases where the military takes power out of civilian hands and eventually returns it, democratization theory becomes indispensable to civil-military relations. In a work far more recent than his treatise on civil-military relations, Huntington provides us with a preliminary framework for looking at democratic transitions through the lenses of regime type and the nature of the transition. Other authors lead us beyond Huntington's transitions to consider the problem of truly consolidating a democracy. Linz and Stepan lend a basis for evaluating the completion of democratic transition and the process of consolidation. In Fitch and Fuentes we find a scheme for looking at posttransition civil-military relations and the strategies may lead to more democratic and civilian control of the military.

There is also an important historical context to the nature of posttransition regimes. The experience or history that a certain nation has with democracy strongly determines its ability to consolidate democracy following an authoritarian regime. For some countries the posttransition period represents a return to a long tradition of solid democracy. Other nations, however, have never had a well-established democracy on which to base a model in the posttransition challenge. Similarly, traditions of civil-military relations may extend to a nation's origins and play a role within the democratic tradition. Some countries may seek a return to clear civilian control, while

others still seek a working formula for controlling the armed forces.

As we turn to the Chilean case, we will see that Chile's past and present test all of these theoretical issues. Since independence, Chile's history has been inseparable from that of the military. Since the full professionalization of the Chilean armed forces in the 19th century, the military, like the nation itself, has been the product of concomitant European and Latin American influences. Finally, the rise and fall of the Pinochet regime has made Chile into one of the most emblematic cases in the study Latin American politics, democratization and civil-military relations. The truly unique Chilean case not only sheds light on the very nature of how a professional military coexists with a modern democracy, but also contains essential clues to the process of consolidating democracies in the developing world.

These theoretical frameworks serve as an essential starting point for considering the Chilean case. While this literature proves valid for looking at civil-military relations in theory, the treatment of the specific Chilean case has been inadequate. The chief flaw in broad theoretical studies of civil-military relations or democratization arises from treating the military as a black box, whose internal state is inaccessible or unimportant. While survey studies, such as Huntington's *Third Wave*, have treated the Chilean military as a black box in order to generalize, some case studies specific to Chile have dismissed the Chilean military as monolithic and unchanging. Even Fuentes and Fitch, who make excellent analyses of the Chilean case, tend to look more at the military's supposed incompatibility with democracy than at the institution itself. Although this view is understandable given the history of the military regime in Chile, a consideration of history and a more careful examination of recent events reveals an rapidly evolving institution. In such a situation, the professionalism and institutional strength can influence civil-military relations as greatly as strategies followed by civilian governments. We turn then to a case study of the Chilean military in order to paint a more complete picture.

Chapter Two:

The Historical Context of the Chilean Case

> "We turn to the modern army, that vast organism of which we are part. Bound up in the noble idea of the equality and democracy that brighten these centuries of humanity, its purpose, its very life, has come to belong to the basic life of society."
>
> -Captain Tobias Barros, 1920[1]

The study of the Chilean civil-military relations demands at least some understanding of the historical context. Although institutions evolve and dynamics shift, the military has always been an integral part of Chilean society and politics. But the history of the Chilean military, especially since the late 19th century, has produced a hybrid institution that fits neither European nor Latin American ideals precisely. Despite the dramatic changes of recent years, the nature of the Chilean military as an institution is deeply rooted in tradition and history. Finally, understanding the Chilean military would be impossible without examining the national security paradigm that has governed defense and foreign policy for well over one hundred years.

From Independence to the War of the Pacific

As with many western democracies, including the United States, the military tradition of Chile dates to the era of independence. As a nation that had to fight off imperial Spain for its independence, Chile owed its birth to the armed forces. Some have argued that the colonial period cultivated in Chile a unique warrior society through a hybrid of the Spanish conquistador and the warriors of the indigenous Araucanian tribes.[2] Regardless of the truth to this interesting

[1]Capitán Tobias Barros Ortiz, *Vigilia de Armas: Charlas Sobre la Vida Militar Destinadas a un Joven Teniente.* Originally published 1920, reprinted in *Memorial del Ejército de Chile No. 372*. (Santiago: Estado Mayor del Ejército, 1973), 39. Author translation.

[2]Hernan Soto, Introduction to Tótoro Taulis, *La Cofradía Blindada,* op. cit.

cultural argument, Chile was given its birth, and governed through its infancy, by the military. The political role of the Chilean military would wax and wane the last two centuries, yet for better or for worse the military was intimately tied to the state from its very beginnings.

After declaring independence on September 18th, 1810, the fledgling Chile was "reconquered" by Spain within a few years. The true independence for Chile came in 1817, when the Army of the Andes led by Bernardo O'Higgins and José de San Martín defeated the Spanish and re-took Santiago.[3] San Martín, from Argentina, was only interested in Chile as a means to the greater liberation of South America.[4] O'Higgins, however, the bastard son of an Irish immigrant and militarily probably less important than San Martín, became *El Libertador*, the liberator of Chile and its first national leader. To this day, O'Higgins is enshrined on Chilean coins and a large tomb on Santiago's principal street, *La Alameda del Libertador Bernardo O'Higgins*.

The legacy of the liberation struggle was a sizable army that held pride in its fight for *la patria*. This army and proud military traditionalism persist to this day. As Frederick Nunn writes, "by the end of 1817 nearly five thousand men and officers wore the uniform of El Ejército de Chile. An institution was born."

But while the history of the Chilean military was only beginning, the career of Bernardo O'Higgins was over soon after the end of major hostilities. Perceived as a threat to the landed oligarchy, O'Higgins was compelled to step down in 1823 and spent the remainder of his life in exile in Peru. The next seven years would see dozens of ephemeral governments in Chile, some of which came to power violently. Certain precedent for military government may come from

[3]While the patriots took Santiago and declared a government, its victory was not decisive until O'Higgins and San Martín repulsed the Spanish offensive on Santiago in the April 1818 battle of Maipu.

[4]After Chile's final victory, San Martín led the Army of the Andes to liberate Peru and eventually Ecuador where he met up with Simón Bolívar.

these years, but their fleeting nature, combined with the extremely low institutionality of both the military and the sometime-civilian government makes any analysis of this period in terms of civil-military relations a dubious one. Yet Frederick Nunn does point to certain characteristics of the period as possible, if abstract, influences on future civil-military relations:

> In Chile between 1823 and 1830 the development of political ideas, the formation of faction (not yet genuine political parties), the attempts to turn the ideas of a faction into action or policy, the adoption of nonindigenous philosophies, and the lust for power were all dependent on control of, or good relations with, the military.[5]

The Portalian era, beginning in 1830, marked a period of stabilization and institutionalization for the Chilean republic. The 1830 Battle of Lircay ended the chaotic power struggles of the previous seven years and brought to power a conservative coalition directed by Diego Portales. Portales would never be president of Chile, but over the ensuing three decades exercised more influence over Chile than any who held that office. The lasting legacy and representation of the Portalian era of conservative consensus and hegemony was the Constitution of 1833. The Constitution installed a strongly centralized presidential system. Rejecting calls for federalism and regional representation in the government, the Constitution's authors invested power very disproportionately in the executive branch, including the authority to declare a state of emergency and rule by decree. Beyond granting no more than a nominal legislature, the Constitution of 1833 created a military-backed autocratic regime. The Constitution "welded the army to the state"[6]-- a bond that was bolstered by the presidencies of José Joaquín Prieto (1831-1841) and Manuel Bulnes (1841-1851), who had both gained fame as generals. But despite the military nature of the state, the Portalian era and the Constitution of 1833 established a clear norm for civil-military relations: the immense power of the Portalian state put the military under civilian control.

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[5]Frederick Nunn, *The Military in Chilean History* (Albuquerque: University of New Mexico Press, 1976). 28-29.
[6]*Ibid*., 45.

The first and greatest challenge of the Portalian period came with the 1836-1839 war against the Peruvian-Bolivian Confederation. The war, essentially begun over tariff conflicts, became a large-scale affair only after Portales was martyred during a rebellion blamed on Bolivian instigation. Loyalist troops quickly defeated the rebellious unit from the north, but the uprising left Portales dead. The Chilean people called for war in retaliation, unsatisfied with the execution of the rebels. Without going into the details of the war, Chile defeated the Confederation in the battle of Yungay in 1839, despite the failure of its first expedition and being heavily outnumbered by Confederation forces. The war served to deepen the roots of Chilean military pride and further institutionalize the armed forces' role:

> The war that culminated at Yungay was extremely significant in that it strengthened the relationship molded by Portales: a military obedient to civilian authority and designed to defend as well as maintain order... The triumph at Yungay made the Chilean Army a source of national pride as a legitimate means of preserving and extending Chilean power and dignity.[7]

The next several decades were a time of relative stability and growing prosperity for Chile, despite two failed regimental uprisings under the administration of Manuel Montt (1851-1861) and the small "War with Spain" in 1866. Chile expanded its borders into the vast and treacherous southern frontier. As in the United States, the military led and ensured this expansion through wars of "pacification" of the indigenous peoples, and by establishing strategic forts in the wilder reaches of the country.[8] The establishment of Fort Bulnes, later Punta Arenas, on the Straits of Magellan gave Chile a strategic presence to the end of the continent. This presence would also become a key point of contention between Chile and Argentina, who share strategic ambitions around Cape Horn.[9] The mid-19th century round of globalization began linking Chile to the outside world. Chile started to exploit its mineral wealth and gained foreign

[7] *Ibid*., 49.

[8] The Araucanian, or more properly Mapuche, natives in the southern regions of Chile made the frontier as treacherous as the "Wild West." In today's Chile, the Mapuche have unfortunately befallen the same fate as Native Americans in the U.S., with land struggles against the government and serious social problems. While idealization of the Chilean warrior society draws on the influence of the wild Araucanian warrior, the modern Mapuche is the victim of bitter racism on the part of many Chileans.

capital investment, while technological developments, particularly steamships, railroads and the telegraph sped communication and transport.[10] Politically, the conservative hold on power began to open gradually, as the Liberal movement struggled for, and eventually gained a share of government through a Liberal-Conservative coalition in the compromise of 1861. However, despite the profound changes that swept Chile in these years, the state of civil-military relations remained generally unaltered, as the strong Portalian state kept control of the military.

Chiefly a naval affair, the short 1866 War with Spain was marked by a few engagements at sea, and the devastating bombardment of Chile's main port, Valparaíso. Though not tremendously important militarily, this 1866 conflict marks a subtle turning point in Chilean civil-military relations. The War with Spain came halfway through the administration of José Joaquín Pérez (1861-1871), during which the Portalian system was dismantled by the increasingly powerful parliamentarists. Seeking to limit the power vested in the executive, the Liberals reinterpreted the Constitution of 1833 to reserve greater power for the legislature. It was the strong, centralized executive of the Portalian system that had ensured civilian control of the military since 1830. But the effects of this shifted base of power would not be felt on civil-military relations until the last decade of the century because of a great distraction: the War of the Pacific.

The War of the Pacific

The 1879-1884 War of the Pacific was the last and greatest war in Chilean history. Some Chilean officers speak about it as if it were yesterday, describing the heroic battles of their

[9]In a truly remote location, with several hundred miles of uninhabited fjords between it and the next Chilean city, Punta Arenas became a wealthy city while the Straits of Magellan remained an essential sea route. The opening of the Panama Canal decimated the economy. After its golden age, Punta Arenas reverted to its original role as a key strategic military outpost. Oil drilling and livestock have aided the economy, but the strong military presence remains readily apparent.

[10]Simon Collier and William F. Sater, *A History of Chile: 1808-1994 (*New York: Cambridge University Press, 1996). With respect to this modernization, see Chapter Four, "A time of progress, 1830s-1870s," in Collier and Sater. See pages 76-83 on the export economy and 84-88 on technological advancements.

regiments. Glass cases at the Santiago base of Regiment No. 1 "Buin" display trophies captured after taking Lima. Figures from the War of the Pacific, privates and generals alike, heavily populate the revered pantheon of Chilean military heroes. Their names and images are found on street signs and statues in Santiago, as well as on Chilean pesos.[11]

The legacy of the War of the Pacific is many-faceted, with implications for the future economy, domestic and foreign policy, and certainly the military of Chile. The war began in 1879, over an economic border dispute with Bolivia. The northern desert region around the city of Antofagasta had been disputed by Bolivia and Chile, but the disagreement had been relatively minor until the discovery and exploitation of nitrate and other minerals. The economic boom brought conflict when Bolivia sought to increase its share through higher taxes on land that it owned, but was being exploited by the majority Chilean population.[12] Bolivia believed that its secret military alliance with Peru would allow it to overwhelm its southern neighbor. So years after their previous conflict, Chile again went to war against a numerically superior Bolivian-Peruvian alliance. Once again, Chile beat the odds and emerged victorious despite early setbacks. The Chilean army captured Lima in 1881, though three more years were needed to pacify the interior highlands. Military historians point to the War of the Pacific as one of the first modern wars, like its contemporaries the American Civil War and the Franco-Prussian War. However, unlike these others, the War of the Pacific was a joint land and sea campaign and Chile's victory relied equally on the army and navy.[13]

By 1884, Chile had pushed its borders almost 500 miles to the north, taking the Antofagasta from province Bolivia (leaving it landlocked) and the region of Tacna-Arica from

[11]For a brief but valuable summary of some of these Chilean war heroes, see Nunn, *The Military in Chilean History*, 69-79.

[12]William F. Sater makes an exhaustive study of the economic causes and effects of the war in *Chile and The War of the Pacific* (Lincoln: University of Nebraska Press, 1986). See in particular Chapters 1,6 and 7.

[13]*Ibid*., 2.

Peru (Tacna was eventually ceded back to Peru). The Treaty of Ancón eventually formalized the new border with Bolivia, but left a great deal of resentment at the now emasculated and isolated country.[14] To this day, Bolivia and Chile do not maintain full diplomatic relations, while a cultural animosity persists between Chileans and Bolivians. The border between Chile and Peru was not settled until 1929.

Chile as a whole gained pride and profit from this conquest, but the effects were even more marked on the institution of the armed forces. This "mythology of the conqueror" made the military feel that they were not only natural warriors, but predestined victors as well.[15] In part, this myth stems from a belief in the ethnic superiority of Chileans over its Andean neighbors. Although the War of the Pacific was the last great conflict for Chilean forces, the victory shaped the army's slogan that it uses to this day: *Siempre vencedor, jamás vencido*. Within this belief in "always the conqueror, never defeated" lies the essence of Chilean military pride. The danger, of course, lies in the conversion of this pride into stubbornness and arrogance.

Prussianization: The Mission of Don Emilio

The War of the Pacific had made national heroes of the armed forces, but with war's end, the military began to reassess its position as an institution. The army's desire to modernize brought the Prussian mission of 1885, led by Emil Körner, the beginning the process of "prussianization." The reform of the Chilean army was complete, adopting Prussian uniforms, marching style and weapons. The Prussian ceremony and drill adopted are still practiced, and army units parade with a high goose-step. On parade, units of the military academy even wear spiked *Picklehauhe* helmets with horsehair plumes, almost exact copies of the 19th century

[14]The key point of contention was, and is, Bolivia's access to the sea. A peculiar feature of the Treaty of Ancón required that any land ceded had to be approved by all three parties, and no solution or compromise has won this consensus. Various efforts have included a rail corridor to the sea and granting Bolivia control of parts of the port of Arica, but Bolivia still feels exploited by Chile.

[15]Patricio Quiroga and Carlos Maldonado. *El prusianismo en las Fuerzas Armadas chilenas* (Santiago: Ediciones Documentas, 1988), 35.

Prussian uniform.

Many officers of the time took the adoption of Prussian styles very seriously--photographs from the period show rows of Chilean officers posing with bushy mustaches with the tips curled up and monocles. Such cultural exchange was fostered by the many Chileans who went to study at the military academies in Germany. Körner also brought increasing numbers of fellow Germans with him as professors, and many eventually settled in Chile. From its beginnings, the Chilean armed forces have had a presence of traditional military families. Some of these military families today carry Germanic surnames like Schmidt or Von Chrismar.

Beyond these interesting but superficial changes, the Prussian mission brought a professionalization of the Chilean Army towards the Prussian ideal. An essential element of this ideal lay in the system of military education, where officers became experts at the art of war and the military institution united and perpetuated itself. Körner's first position, consequently, was as "technical director" of the *Escuela Militar*.[16] While he initially taught Prussian tactics in "Infantry, Artillery, Cartography and Military History," Körner had much larger goals for the Prussianization of the Chilean Army.[17] In his second year, Körner created the *Academia de Guerra*, modeled on the Prussian *Kriegsakademie*. The purpose of the *Academia* was to provide advanced education to senior officers destined for the General Staff. There is a saying that "Europe has developed five perfect institutions: the Roman Curia, the British Parliament, the French Opera, the Russian Ballet, and the Prussian General Staff." Körner sought to recreate this system to give the Chilean army a full time strategic planning and administrative cell, lending a great deal of professional institutionality. The Chilean General Staff, known as the *Estado Mayor del Ejército*, continues to publish the annual *Memorial del Ejército*, begun at the same time by Körner. This publication provides an internal forum for discussion of institutional

[16]This Chilean military academy, founded in 1817 by Bernardo O'Higgins, still bears his name.
[17]Quiroga and Maldonado, 40

military issues. With education, the *Estado Mayor*, and the *Memorial*, the Prussian reforms brought about precisely the kind of self-aware and self-regulating corporatism that Huntington requires of a professional institution. Refined training perfected Chilean officers' knowledge of the art of war, while new German weapons and equipment modernized the army.

Herwig and Sater, taking a fully contrary position, argue that this prussianization was nothing more than a "grand illusion." These two authors condemn Körner as a greedy entrepreneur who brought the superficial trappings of the German army to Chile without making any substantial reforms. Chiefly, they look at how Körner made decisions based on profit rather than the best interests of the Chilean military. Körner's connections with the Krupp and Mauser armories brought modern artillery and rifles to the Chilean ranks, but were also enormously profitable contracts. Körner received a commission on these sales, as well as for Chilean purchases of countless different articles to outfit its new Prussian army.[18] But beyond such profiteering, Körner may have been a deceitful and scheming figure in the abuse of his influential position. Primarily, they call into question the role he played in the Chilean Civil War that would come only six years after Körner arrived in Chile.

The Civil War

Quiroga and Maldonado consider the years 1885-1891 the first stage of the Chilean army's prussianization, pointing to the 1891 Chilean Civil War as phase two of the process. Not only did the war eventually further the process of prussianization, but may have been partially caused by it. The Civil War was the conflagration into open hostilities of the political tension existing since the beginning of the Portalian period between presidentialists and parliamentarists. As politicians fought over the proper arrangement of governmental power, the Chilean military

[18]William F. Sater and Holger H. Herwig. *The Grand Illusion: The Prussianization of the Chilean Army* (Lincoln: University of Nebraska Press, 1999). Sater and Herwig provide an exhaustive indictment of Körner's business practices in Chapter Five entitled "The Art of the Deal."

faced its first great loyalty crisis. After the congressionalists rebelled against President José Manuel Balmaceda, Chilean officers had to choose sides. More significantly perhaps, was the decision of don Emilio Körner. Contrary to the Prussian ideal of obedience to the duly constituted civilian authority, Körner joined the congressionalists and became secretary-general of the rebel army. The congressionalist forces gained the support of almost the entire navy and based their operations from the sea. This naval advantage was clearly decisive in the congressionalist victory, and combined with some essential strategic successes on the part of the rebels. Rather uncertain, however, is the role that don Emilio played in the victory. Nunn claims that the congressionalist army, "with the aid of Körner's knowledge of modern tactics and strategy, broke the resistance of the central government."[19] Specifically, "Körner's open-rank infantry assault tactics baffled the traditional-minded central government commanders."[20] Yet in contrast to this specific high praise, Herwig and Sater criticize Körner as an inept battlefield commander who made victories excessively costly and could have easily made things much worse. Worse, Körner would try to steal credit from the real commander, General del Canto.

Whether or not he deserved it, Körner was credited with a large part of the congressionalist victory. This fame would open the doors even wider for Körner to take a free hand in continuing reform of the Chilean military. Körner's reforms after the Civil War went deeper than his initial efforts. Beyond new weapons and uniforms, he "began introducing more substantive change: hiring German army officers as instructors, increasing the number of troops, strengthening the General Staff, creating supply organizations, reforming the militia system and eventually instituting conscription."[21] This last effort, the 1900 *Ley de Servicio Militar Obligatorio* (Obligatory Military Service Law), remains a highly polemical issue in Chile to which we will return.

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[19]Nunn, *The Military in Chilean History,* 109.
[20]*Ibid*., 110.
[21]Sater and Herwig, *The Grand Illusion*, 59.

The Rise and the Fall of the Parliamentary Republic (1891-1932)

Prussianization continued in earnest from the end of the Civil War until the First World War, when German professors had to return to Europe to fight for their *patria*. It was in these decades where dozens of German officers served as instructors in Chile and a quarter of Chilean officers studied in Germany, leading to the highly visible cultural exchange and imitation. After the Imperial German defeat, the cult of military prussophilia was no longer in vogue internationally. Chile, however, maintained its Prussian army and preserved close relations with Germany.[22]

Lacking the strong, central control of the Portalian system, civil-military relations were at times tenuous under the parliamentary republic. Körner's reforms did not come cheap, and many sharply criticized the government for not giving the military sufficient support. Despite what had been achieved through prussianization, Chile's military remained relatively underdeveloped. The officer corps blamed the government for failing to give the military the support it needed to reach its full potential. Concerned with salaries, low spending, and slow promotions, as well as what they saw as general governmental incompetence, a group of officers organized the *Liga Militar* (Military League) as a lobby for the professional interests of the officer corps. Founded in 1906, the *Liga* did not last more than ten years, yet it stands as an important marker in the development of a political Chilean military. *Liga* members considered themselves committed to the professional ideal, yet their frustration drove them to plan a coup in 1911-1912. Although the *Liga* never carried out its plans and was soon disbanded, it clearly shows the Chilean military's dichotomous belief in its own professionalism and the legitimacy of its intervention in politics.

Throughout the first two decades of this century, the officer corps frequently vocalized its

[22]Chile had a sizeable population of German immigrants, including some entirely German "colonies" in the southern provinces. Although not as prominent as in neighboring Argentina, the German-Chileans kept Chile ostensibly neutral in World War Two, and provided a haven for some Nazi exiles.

opinion about problems with the military and Chile in general. Various military publications during the era saw Chilean society and politics as corrupt and concluded that only the military could provide for the nation's welfare (i.e. care for *la patria*). Prevailing opinion was that only the military should have a hand in all important national issues-- beyond defense policy, the military should look after the people's education. Further, the arrival of the international socialist movement to Chile greatly worried the military. Already with a history of breaking strikes and violently repressing labor movements, the beginning of the 20th century saw the origins of the Chilean military's fervent anti-Communist ideology.

By 1919, military frustration had escalated further and another coup conspiracy was formed. The discovery of the conspiracy and the ensuing purge of the officers involved drove the wedge deeper in civil-military relations. The presidency of Arturo Alessandri (1920-1924) pushed things over the edge, as it "perpetuated and exacerbated the failings of the parliamentary system."[23] Alessandri would be forced from power in 1925 and a series of governments would pass in and out of power for the next several years.

The military played a prominent role in this transition, dominating the ousting of Alessandri and some of the ensuing juntas, as well as the 1927-1931 presidency of General Carlos Ibáñez del Campo. Leading the military's interventions after 1924, Ibáñez was elected president in 1927. While dictatorial, the Ibáñez regime returned stability to Chile and brought a great deal of investment in infrastructure. However, the Great Depression's arrival in Chile brought economic crisis and ended the Ibáñez government. Chile emerged from political strife and entered a new era of history when Alessandri was reelected to the presidency in 1932. Far different from the 1920s, Alessandri's 1932-1938 administration marked the return to a presidential system. It was not until Alessandri's reelection that the new constitution, written in

[23]Nunn, *The Military in Chilean History,* 131.

1925, began to function.

The Forty-Year Peace (1932-1970)

For the next forty years, Chile would enjoy a stable democracy based on the 1925 Constitution. During this period, the political system would be characterized by fierce competition between parties in free elections. After Alessandri's administration ended in 1938, *La Moneda*[24] was held for twenty years by a coalition of leftist parties called the Popular Front. However, anti-leftist sentiment became very strong in Chile, not just in the military. The Communist party was outlawed in 1948, and concerned with the "Marxist threat," Chileans elected in 1952 the former dictator-president and retired general Carlos Ibáñez del Campo. Serving his full six years,[25] Ibáñez then peacefully turned power over, in 1958, to Jorge Alessandri Rodríguez, the son of his former enemy. By 1964, Chile's well-established party system had developed into a competition among *los tres tercios* (the three thirds), with a strong left, right and center. In 1964, Chile sought a centrist path by electing the Christian Democrat Eduardo Frei Montalba.

Between 1932 and 1970 the military deferred to the well-functioning political system and generally stayed out of politics. While the military did sometimes lend support to anti-Marxist sentiment, they were cooperating with broad civilian support. Many people came to believe that Chile was leading the way as a model for the rest of the region-- Chile had endured its period of instability and authoritarianism and was now a fully consolidated democracy. Further, the security of the state was not threatened. The entire country had been pacified and settled, with the help of the military, while borders remained stable. Secure without and within, the military saw no need to interfere with the civilian government that was doing a good job of caring for *la*

[24]The presidential palace in the center of Santiago. Sometimes called the Chilean "White House," although the president does not live there.

[25]In contrast to the 1933 Constitution, which called for a five year, once-renewable presidential term, the 1925 Constitution provided for a six year presidential term that could not be renewed.

patria.[26]

It was also during this period that the military took the shape we know today. The creation of the air force in 1930 added a third branch to the military. Further, the national police or *Carabineros*, founded in 1927, grew into a large and powerful paramilitary organization. While the *Carabineros* are technically a military force, they receive the same governmental considerations as if they were another branch of the military. Indeed, the *Carabineros* are often subsumed under the same term as the military, by referring to the *Fuerzas Armadas y de Orden*, which poorly translates to "Armed Forces and Forces of Order." The *Carabineros'* commander in chief is a close colleague of his counterparts in the military, and is probably more important than the commander in chief of the air force due to the comparative size and capabilities of these branches.[27]

This period of peace and stability would come to a violent end in the 1970s, but the seeds of crisis are visible in the administration of Eduardo Frei Montalba, who oversaw the end of the forty years' peace. Whereas most of his predecessors had won only with a plurality, Frei won a dominating 56% majority.[28] A popular centrist leader, Frei sought to take Chile even further beyond its success and address the real social problems still existing in the country. Frei hoped to take more control of the economy to keep a greater share of Chile's export profits in the country. The government could then make an investment towards needed educational, agrarian and housing reform. By Frei's presidency, copper had become Chile's most lucrative export, coming from the same northern desert regions that had previously brought profit through nitrates. Eschewing a dangerous nationalization of foreign-owned copper companies, Frei pursued a path

[26]1932-1970 was a peacefully boring era of civil-military relations. Frederick Nunn chronoicles the few points of interest, such as budgetary concerns, in Chapter 11 of *The Military in Chilean History.*

[27]As we shall see later, the 1980 Constitution put the *Carabineros* under the Ministry of Defense.

[28]The United States government greatly feared communist expansion and supported Frei's anti-communist campaign rhetoric. The CIA may have provided as much as half of Frei's campaign contributions.

of "Chileanization," whereby the state would buy a majority stake in the large companies such as Anaconda and Kennecott.

Some initial successes of the Frei administration were reversed by the second half of his term. Economic crisis driven by inflation and falling copper prices dried up Frei's reforms and stirred social dissatisfaction. Chile was beginning to feel the cultural upheaval of "the sixties." The hippie movement was present, if not widespread, yet the tension between old and young, left and right became very visible. The parties of the left and right began to redefine themselves while the center weakened. The *Movimiento de Izquierda Revolucionario*, (Revolutionary Leftist Movement) or MIR, splintered off of the militant left. Favoring a violent revolution as the path to socialism, the MIR resorted to terrorist activities to further its cause. Though not as large as the MIR, an extreme rightist group, calling itself *Patria y Libertad* matched the MIR's activity and methods.

As in the society at large, a new tension became apparent in civil-military relations during the Frei years. Officers, particularly the younger members of the officer corps, expressed concern about declining military expenditures and low salaries. These motives caused the 1969 revolt of the Tacna regiment, since known as the *Tacnazo*.[29] Although the remainder of the army and the society as a whole stood with the Frei government, the *Tacnazo* foreshadowed things to come and left a clear example that the heady days of mid-century were over.

Crisis Under Allende: 1970-11 September, 1973

In 1970, Dr. Salvador Allende Gossens made his fourth campaign for the presidency as the candidate of the Socialist party. For some, Allende had become a joke as the perpetual

[29]Each regiment in the army has a name by which it is referred to in lieu of its number. The Tacna regiment in Santiago is nowhere near the city of Tacna, which was conquered from Peru in the War of the Pacific and later ceded back.

hopeless candidate. But in 1970, the *tres tercios* divided cleanly and Allende, running on the *Unidad Popular* (UP) or "Popular Unity" ticket, a Socialist-Communist coalition, won the narrowest of pluralities over the center and right candidates. Allende received 36.2% of the vote, while former president Jorge Alessandri won 34.9% for the conservative National party. The left-leaning candidate of the centrist Christian Democrats, Radomiro Tomic, took the votes of 27.8% of Chileans. Not unlike the 2000 U.S. presidential election, the nation stood still while constitutional processes went into motion to determine a final winner in such a close election.

The political right and its military allies were shocked by Allende's victory and terrified by his plan for *La Vía Chilena Hacía el Socialismo* (The Chilean Path to Socialism). Though the climax was three years away, civil-military relations took a turn more foreboding than the *Tacnazo* with the murder of General Rene Schneider, the army commander in chief. Schneider and his chief of staff, General Carlos Prats, were both devoted constitutionalists who had pledged their allegiance to support whomever should become the next president. While Congress debated the confirmation of Allende as the winner, hard-line anti-Marxists in the army planned a secret plot to kidnap Schneider and instigate an army mobilization. However, the plotters bungled the abduction and murdered Schneider. Prats became the new commander in chief, declaring Schneider a loyal martyr to the constitutional order. The violence galvanized public opinion and Congress, which quickly moved to respect the people's will and the democratic process by confirming Allende as president.

Allende faced the same national problems as the Frei administration and confronted them with a radicalization of Frei's policies. Allende wanted a socialist Chile before his presidential term was out and worked to move rapidly in social and economic reform. Frei's efforts at agrarian reform were sped up to the point that the government lost control and violent conflicts broke out in the countryside between those trying to expropriate land and others trying to defend

it. The Unidad Popular government moved to nationalize key sectors of the economy, including multinationals such as Ford and ITT. Moving beyond Chileanization, Allende completed the nationalization of the copper industry, arguing that the Anaconda and Kennecott had extracted such excess profits in the past that the government would make no payments for expropriation. Whether concerned with the plight of the Chilean people or hoping to gain electoral support for the UP, Allende instituted a series of populist economic reforms. Freezing prices and raising wages, the Allende administration hoped to reduce the burden on working Chileans. The unfortunate result of these measures, however, was runaway inflation. Not pleased with Allende's expropriations, and terrified by Allende's ever-closer ties with Fidel Castro, the Nixon administration attempted an international credit embargo on Chile, putting further strain on Chile's economy. All these strains, from without and within, drove the Chilean economy into crisis.

Political and social tension heightened while the economy struggled to handle its normal difficulties and Allende's limit-testing reforms. Inside the political arena, the Unidad Popular tried to maintain support in Congress for Allende, while the National and Christian Democrat parties, sometimes in cooperation, fought many of Allende's reforms in Congress. These opposition parties also turned failed UP policies into electoral victories for themselves hoping to impeach Allende.[30] Outside the legitimate political arena things were getting much dicier. Militant groups from both political extremes stepped up their activities, smuggling arms into the country for terrorism and violent public demonstrations. No consensus could be found for solving the nation's problems. Those who stood with Allende became more loyal while the intensifying opposition called more and more vehemently for Allende's removal. Eventually these cries for help would be directed to the military.

[30]The very notable exception to this legislative struggle was the nationalization of the copper industry which was approved unanimously by Congress.

As with every other aspect of the society, Chilean civil-military relations fell into a state of crisis during the 1970-1973 Allende years. Elements of the anti-military extreme left, whose support Allende depended on, denounced the military as reactionary defenders of the oligarchy. In a classic revolutionary move, enlisted men were encouraged to mutiny against their bourgeois officers. Building on previous military discontent and a belief that *la patria* was in danger, this antagonism began to galvanize the military into severe action. Like its cousin the *Tacnazo*, the June 1973 *Tancazo* threatened the "Schneider doctrine" of military loyalty to the president. The similarity of these two nicknames is all too appropriate for the similarity of these two contemporary failed regimental rebellions.[31] The revolt of the Army's Second Armored Regiment did not come to violence, but tanks did roll dramatically through Santiago to take up positions outside *La Moneda*. But the tankers had not stirred up any support from the rest of the military, least of all from their commander in chief. General Prats himself went armed to each tank to force the surrender of the rebels before the constitutional authority.

Prats may have been the last best hope for the preservation of peaceful civil-military relations in 1970s Chile. But despite Prats' efforts, the situation took a steep dive through the winter months with September coming on quickly. Following more violent attacks on military officers and attempted naval mutinies in the Valparaíso fleet, military frustration came to a head. Allende tried to placate the military by giving cabinet positions to the three commanders in chief. But Prats had fallen from grace with his army, and after an embarrassing demonstration by officers' wives and a formal notice of no confidence from the officer corps, Prats resigned.[32] In a fateful move, Allende appointed Augusto Pinochet Ugarte, widely thought to be a strictly professional loyalist, to be the new army commander in chief. The other branches followed the army's lead and replaced their Allende-appointed commanders with their own selections. By the

[31]While "Tacnazo" comes from the name of the rebelling regiment, "Tancazo" stems from the Spanish word for tank.

[32]To give a sense of the rapid drama with which these events developed, Prats resigned on August 21st, less than four weeks before the eventual coup.

time the first week of September arrived, the armed forces had the formula they wanted: Pinochet heading the army, Admiral José Toribio Merino commanding the navy, and General Gustavo Leigh in charge of the air force. It would rapidly prove to be a potent combination.

Chapter Three

Rise and Fall of "La Cofradía Blindada"

> "The Armed Forces have assumed the moral obligation that the Fatherland imposes on them."
> -Military Junta, September 11th, 1973[1]
> "May there be moral punishment for those who have betrayed their oath: the soldiers of Chile."
> -Salvador Allende, September 11th, 1973[2]

September 11th, 1973 began a military era-- a seventeen-year government by what one Chilean expert calls *la cofradía blindada* or "the armored brotherhood." The years of the military government would not only strengthen the brotherhood but also thicken the armor that insulated it from civilian society. Examining the rise and fall of the military regime in the last quarter century is indispensable to the understanding of civil-military relations today.

Coup? Pronunciamiento? Junta?

The story of September 11th has been told many times from many different perspectives. Yet the *Once de Septiembre* undoubtedly remains the single most cataclysmic day in Chilean history, remaining frozen in the national conscience. Its anniversary continues to be a day of polemical demonstration and often violence. The military commanders-in-chief, Pinochet, Merino and Leigh, finalized their plans to overthrow the Allende government at a meeting on

[1]From Junta official communiqué *Bando #5*, James Whelan, *Out of the Ashes: The Life, Death and Transifguration of Democracy in Chile* (Washington: Regnery Gateway, 1989), 494.
[2]From Allende's final radio address. *Ibid*., 476.

September 9th, also securing the support of *Carabineros* commander in chief, General César Mendoza. The coup began early in the morning of September 11th, as the navy took control of the port city of Valparaíso. Hearing of the revolt, Allende fortified himself inside *La Moneda* with the GAP, the *Grupo de Amigos Personales* (Group of Personal Friends), a rather heavily armed but small force. Fighting broke out in downtown Santiago as the army surrounded *La Moneda* under sniper fire. The *Carabineros*, the traditional palace guard, abandoned *La Moneda* when informed that their commanders were in on the coup. All but Allende's most militant supporters evacuated the presidential palace as fighting intensified but Allende refused to surrender. Allende gave a famous impassioned speech over the radio during the attack, but the end arrived soon after. The neo-classical *La Moneda*, squeezed tightly into downtown Santiago, was struck on the north facade by rockets launched from air force fighters. When troops stormed the burning palace, President Allende was found dead from an apparently self-inflicted shot to the head.[3]

Amid social chaos, a freely elected Latin American marxist was replaced by a military junta. The shock was immeasurable for Chilean society. The 1891 Civil War and the chaos of the 1920s were ancient history to Chileans, who believed in the permanence and security of their position as a model modern democracy amid backward neighbors. Many had thought Chile immune to the social upheaval that plagued Peru, Bolivia and Argentina. The military coup and especially the ineffable violence and repression that followed shattered the illusions of an entire

[3]Many have debated whether Allende's suicide was fabricated by the army to conceal his murder, but most evidence indicates that the suicide was real. See Whelan, 511-512 and 519-520. Whelan further alleges that Allende used an engraved AK-47 Fidel Castro had given him. For a completely dissenting opinion, see Robinson Rojas Sandford, *The Murder of Allende*, translated by Andreé Conrad (New York: Harper & Row, 1975), in particular, Chapter One: "The Artful Staging of a Suicide." Neither author makes any attempt to conceal their very strong, but opposite, biases. However, both make extensively argued cases for different versions of Allende's death and the coup in general.

nation. While the military's initial intervention may have held good intentions and a certain degree of justification in the chaotic context surrounding it, the regime quickly took on an altogether different nature. As far as the military was concerned, no coup had taken place. Chilean officers and their civilian allies still refer to September 11th as the *Pronunciamiento Militar* (Military Pronouncement), eschewing the labels *golpe de estado* or coup d'état that are standard everywhere else. Pointing to public opinion at the time regarding the societal crisis, as well as a congressional resolution, the military claims that it had a clear mandate to act as it did in defense of *la patria*.[4]

The Military in Government

As planned, a junta consisting of the four commanders-in-chief took over executive power in Chile in September 1973. In principal, supreme power would rotate among the junta members, but practice soon saw the centralization of power in the person of General Augusto Pinochet. In the end, Pinochet would rule nearly seventeen years-- longer than any ruler of Chile since the Spanish arrival and almost twice as long as any leader since independence. Ostensibly a member of a junta at first, a questionable election in 1980 would grant Pinochet the title of *Presidente*, as well as ratify a new constitution. Although the degree of his knowledge or direction of repression may now be a subject of debate, Pinochet became a dictator. The Pinochet regime represented a hybrid of a personalistic and military authoritarian rule. While the regime quickly became an undeniably personalized one, it also never ceased to be a military in nature.

[4]As a highly visible representation of the military's perception of September 11, ten peso coins minted during the military government replaced the profile of "The Liberator" Bernardo O'Higgins with a winged victory figure stretching her arms aloft as chains break from her wrists. The word "Libertad" (Freedom) is printed beneath, with small numbers reading "IX, XI, 1973."

Some believed that the military regime would return power to a new civilian government soon after order was restored in the coup's aftermath. But a few months after the coup, Pinochet declared that the junta would rule for at least five years while the political and economic structure of the country was redesigned. This master plan provided the justification for the military's repressive measures. In the minds of the military, a state of civil war existed in Chile in 1973. Terrorist cells like the MIR were operating freely and had to be destroyed for the restoration of order. The armed forces maintain that many of those who died in the early days of the regime were killed by soldiers acting in self-defense.[5] The violence was certainly bilateral, and some outbreaks of violence approached pitched battles between soldiers and organized anti-military forces. However, few but the most ardent apologists believe that all the victims were active anti-military combatants. Again, this "pacification" of the country finds its justification in the military idealization of *la patria*, and its obligation to defend its long-term survival against internal and external enemies.

The regime's desire to cleanse Chile of the cancer it saw as pervading the country led it to a surgical mentality with a global reach. To seek and destroy subversives, the regime created the infamous National Intelligence Directorate (DINA). In addition to the large number of murders, disappearances and incidence of torture that took place in Chile, the DINA went abroad to eliminate the regime's enemies. In 1974, the DINA assassinated General Prats and his wife with a car bomb in Buenos Aires (Prats had fled the country following the coup). More widely known in this country, the DINA killed exiled Allende minister Orlando Letelier and an assistant, also

[5]Some Chilean officers' descriptions of the situation echo those by Vietnam veterans of being surrounded by a hostile civilian population in which their attackers could anonymously move, attack and escape.

by car bomb, on Washington's Embassy Row in 1976. These distant attacks stand in a peculiar contrast to the masses who were detained, tortured or executed in Santiago's *Estadio Nacional* following the coup.

However, the authoritarian means of the regime existed on a much more systematic and extensive level. The entire political process was put in the freezer, from the highest levels of government to the most basic interactions of civil society. The regime dissolved Congress and outlawed the political parties that had peacefully competed for power for so many years. Labor unions and other potential opposition groups were banned, destroyed or driven underground. For fear of fomenting subversive sentiment, the regime severely restricted the Chilean press that had been very free, lively and diverse. Finally, the activity of every individual citizen was restricted by a strict curfew. A means to an end, the military saw this repression as a necessity to tear the political structure down and build a new one untainted by the politics that had let a Marxist get elected.

The restructuring planned by the military was realized in the Constitution of 1980. That year, on the seventh anniversary of the coup, the military sent the Chilean people to the polls for a referendum. The referendum was not only on ratification of the new constitution, but also on naming Pinochet to the post of President for an eight year term.[6] The military campaigned heavily, without permitting a "no" campaign. Voting procedures and tabulations have also been questioned, but Pinochet and the Constitution were approved by 67% of the population. The

[6]Some, like Samuel Huntington, believe that from the beginning Pinochet planned a return to democracy, even if he took his time about it. Collier and Sater argue that Pinochet planned to allow a "protected democracy," but had no intention of leaving before a second full term ended in 1997. Others naturally feel that these public performances were merely to provide a cover for Pinochet's megalomania.

1980 Constitution drew heavy criticism as an authoritarian sham, centralizing too much power in the President (Pinochet), insulating the military from civilian control, and granting absurd prerogatives to the armed forces to interfere in the legislature and civil society. Though important amendments have been made to the 1980 Constitution, which we will come to later, it remains the *Constitución de la República*.

But Pinochet's master plan went far beyond these classical demonstrations of authoritarian rule and sought the complete economic restructuring of the country. Performing a 180 degree turn from the socialist state-led development model, the military regime oversaw the conversion of the Chilean economy to the open-market neoliberal model. The economists who planned the military's economic reforms had trained at the conservative Universidad Católica and the University of Chicago, receiving the nickname "*los Chicago Boys*." The Chicago Boys believed that strict economic austerity measures would shock the economy back to life, controlling the inflation that had plagued the country. The regime devalued the currency, and tariffs and government spending were cut, reducing the state's role in the economy. Consequently, Allende's nationalizations were reversed, with the notable exception of the copper industry that remained under the state copper corporation CODELCO.[7]

The effects of neoliberalism and economic austerity were harsh on the people of Chile, urban and rural alike. Unemployment soared, while government welfare programs and subsidies dried up. But in abstract economic terms, the Chicago Boys' experiment began to look like a success. After the 1975-1976 recession, inflation came under control, while foreign investment

[7]For more on the Chicago Boys and the neoliberal economic reform project see Lois Oppenheim, *Politics in Chile* (Boulder: Westview Press, 1993), especially Chapter Six, "The Neoliberal Economic Model and Its Social and Political Consequences."

and export earnings began to flow into Chile (albeit into the hands of the few). Further, reform diversified the economy, breaking with the traditional dependence on copper and moving into agricultural sectors, especially fruit and wine. "Petrodollars" of the late 1970s inflated the economy, to the elation of the regime, but such unsustainable growth fell apart in the 1982 economic crisis. The societal problems of the 1970s returned or worsened, convincing the regime to proceed more cautiously. This more careful formula proved effective and by the end of the 1980s, Chile had a solid economy well integrated with the rest of the world. Often referred to as the Chilean "economic miracle," the military left Chile with a far stronger economy than it had found. The economic successes of the military regime were clear, although the neoliberal economic growth brought the notable side-effect of exacerbating a grossly disproportionate distribution of wealth. Nevertheless, the military regime did build a solid foundation for the 1990s Chilean economy. A source of pride for the military and its civilian allies, some argue that this economic stabilization and growth justified the military regime and even some of its excesses. One retired general and Pinochet minister remarked to the author that in the grand scheme of things, the persecution of 1,100 people is not all that important in the same context as the political and economic stabilization and reformation of the state. This figure apparently refers to the 1,068 deaths identified in the Rettig Report, a truth and reconciliation commission carried out in the early 1990s. This assessment, in addition to sounding more than a little cold and analytical, falls on the low side of estimates of how many people fell victim to human rights violations under the Pinochet regime. The Rettig Report identified a total of 3,197 cases when all types of death and disappearance are totaled.[8] The military has admitted to some 985 cases of execution and disappearance although not in an apologetic way. Though interpreted alternatively as an excessive or conservative estimate, impartial and academic observers generally agree on

[8]Sandford, writing long before the Rettig Commission's report makes claims of 15,000 killed and 100,000 tortured.

approximately 3,000 victims.

The Transition

Upon winning the 1980 plebiscite, Pinochet announced that a referendum on military rule would be held in 1988, after completion of his eight-year presidential term. If he won, he would serve another eight years. Meanwhile, the political sphere slowly opened under the military regime, with opposition groups continually testing the limits of repression, contesting the regime's hold on power and working for a return to democracy. As a result, on October 5, 1988 the people clearly voted "No" to the continuation of Pinochet's regime.[9] Unlike the 1980 vote, the opposition had been allowed to campaign. The victory of the "No" campaign represented the culmination of years of effort by various opposition groups. Others counter that Pinochet alone engineered the return of democracy without yielding to opposition pressure. This sentiment likely overestimates Pinochet's magnanimity, but at the very least he did stick to his schedule for referenda on transition. His plan cannot be discounted, but neither can we ignore the efforts and participation of the various opposition groups, from dormant political parties to labor groups and the Church. The efforts of the Church were especially notable, both for social programs in the hardest times of economic austerity, and also serving as a sheltering umbrella organization for peaceful opposition elements in the 1980s.

We can certainly then, speak of a pacted transition, where authoritarian regime and opposition came to a tacit, if tenuous, understanding of the rules under which the state might return to democracy. Huntington characterizes the Chilean transition within the categories of a

[9]Indeed, a good deal of evidence indicates that Pinochet very nearly rejected the poll returns. Tabulations from outside his government and pubic statements by other generals in his government, however, left him in a position where he could not deny this defeat. See "That Was Nice, Now the Hard Bit," *The Economist* 15 October 1988: 50.

"transformation" from a "personal" regime.[10] That is to say that the regime, embodied in one person only, consciously and voluntarily engineered the return of democracy. The Pinochet military regime could fit Huntington's "personal" or "military" categories of authoritarian regimes. As a military regime, posttransition governments would have to contend with institutional issues of establishing civilian control over the military. Though not wholly separable, the regime's personalistic characteristics meant that posttransition governments would have the legacy of Pinochet's powerful personality to deal with. This proved especially true in that Pinochet continued as army commander in chief after stepping down as President. Although Pinochet centralized the regime in himself, the regime never stopped being a military one. As a result, post-Pinochet governments had the dual task of struggling with the military institution as well as Pinochet himself. As we shall see in the next chapters, the separation of the two has been a difficult and recent development.

Without choosing between Huntington's "military" and "personal" regime categories, a very strong case can be made to dismiss Huntington's classification and name the Chilean transition a "transplacement." While Pinochet established the framework under which the transition took place and did leave power peacefully, it would be an overstatement to say that he intentionally engineered his own departure from power. If we are to preserve Huntington's typology, but discard his brief analysis of the Chilean case, we are better served by looking at the Chilean transition as a transplacement, where the transition was a dynamic interaction of competing political blocs. This interplay of the "pacted transition" further conditioned the consolidation effort. This approach lends itself well to the spectrum of democratic control in post-transition civil-military relations from Chapter One. These inputs and framework give an

[10]Huntington, *The Third Wave,* 110-111 and 113-114.

accurate portrayal of the Chilean transition, the current process of consolidation and increasing civilian control of the military. This model also serves us well in looking for clues to the future of civil-military relations and democratic consolidation.

The Military Upon Departure

During all this violent upheaval of the Chilean society, political system and economy, how was the military affected? That is, how did a professional military force change during seventeen long years in government? Even military men will admit that the armed forces are designed not for government, but for defense and war. Adapting the military to perform and sustain this role left a legacy upon the return of democracy. Most concretely, the officer corps lost its pyramidal shape and the normal process of promotion and retirement was suspended. The officer corps became top heavy as more senior officers were needed to fill political or bureaucratic posts. Meanwhile, the military had to continue its "day job" of defending the nation's borders. Indeed, border disputes with Argentina over islands in *Tierra del Fuego* almost led to war in the early 1980s.[11] Threats to national security might have bolstered the regime's legitimacy somewhat, but chiefly, the exigencies of two demanding roles made for a swelling in the officer corps.

But their years in government also exercised an immeasurable influence on the already powerful spirit and image of the armed forces. To a large part of the society, the armed forces had lost all credibility and respect. No longer were they a noble institution in defense of *la patria*, they were murderers, torturers and "babyeaters" (as one Chilean expression has described

[11]As Argentina's natural enemy, Chile and Pinochet supported Britain in the Falklands/Malvinas conflict. The close friendship between then Prime Minister Margaret Thatcher and General Pinochet has been widely publicized, most recently during her visits while Pinochet was detained in London.

them). But the military self-image could not have been more opposite. Pinochet and his officers happily proclaimed *Misión Cumplida* (Mission Accomplished) upon leaving power. They were leaving the country with a stable political system and a much-improved economy. They had done their duty to defend *la patria* when called into action and done precisely what was necessary for the welfare of their state. As with the War of the Pacific, the most recent time the military had really seen action, the armed forces entered in on a difficult mission and achieved victory. The "myth of the conqueror" soared to new heights within the Chilean military, whose officers came to believe ever more strongly in their motto of "*Siempre Vencedor, Jamás Vencido*."

These diametrically opposed visions of the military played off of each other, establishing a dangerous social dynamic that remains strongly in Chile. The more the military expressed pride in its actions, the more their opponents condemned their brutality, causing the military to react and recoil within its institutional traditionalism and pride. Pinochet remained at the helm of the army, and effectively the entire armed forces, as a hero to the military and their civilian allies and a target of hatred for his opponents and victims. With this chasm between the two sides of its society, Chile began its renewed civilian democracy.

The Playing Field for Transition

Chile's democratic transition began with Pinochet's defeat in the 1988 plebiscite. But despite the hard fought victory of the "No" campaign, the *Concertación por el No*, the opposition had another serious battle ahead, as the victory mandated a presidential election to choose Pinochet's successor. The *Concertación* held together, now as a center-left election coalition

united behind elder statesman Patricio Aylwin. The same 55% that voted "No" in 1988 voted "Yes" to Aylwin in 1989.

Even before Aylwin's election and inauguration, the transition pact was at work, with both sides jockeying to secure their preferred structure for the reborn democracy. The *Concertación* extracted key constitutional reforms during this period in an attempt to dilute some of the prerogatives written in by the military for themselves. Pinochet had envisioned a system of constitutionally guaranteed military tutelage following the eventual transition from his regime. Not only did the Constitution of 1980 intend to preserve military autonomy over its own administration and policies that affected it, but it also left structures for the military to exert influence over the national political system, chiefly through the legislature. The Constitution of 1980 included both direct means to military influence through a military presence in governmental institutions, as well as an indirect influence through the military's allies on the political right.

The first point of contention stems from the Constitution's Articles 43 and 45, which explains the composition of Congress. A bicameral system not unlike the United States Congress, the Chilean *Congreso Nacional* consists of the *Cámara de Diputados* and the *Senado*. However, unlike the single-member districts of the United States and other countries, the House and Senate both use a "binomial" system where each district elects two members. More districts would make for a closer approximation of the ideological distribution among the population. But following the 1988 plebiscite, the military knew what this distribution would be. The binomial system, "designed under the assumption that the center-left opposition coalition would have a

majority and that the right would have slightly more than one-third of the vote, makes it possible for a party (alliance) commanding a little more than 33 percent of the vote to end up with one-half of all legislative seats."[12] By using fewer districts and drawing them to favor parties of the right, the outbound Pinochet regime could limit the future legislative power of the left.

But in the Senate, in addition to senators directly elected to the chamber, the Constitution provides for a number of *Senadores Designados* (Designated Senators). In order to give the Senate a presence of elder statesmen unbeholden to electoral concerns, the Constitution laid out the following scheme of Senadores Designados:

> a) The former Presidents of the Republic who have served a term of six consecutive years... They may take this office of their own right, and will possess it for life...
> b) Two former ministers of the Supreme Court, chosen by vote of the Supreme Court
> c) One former Comptroller General of the Republic, who has served a term of at least two years, also chosen by the Supreme Court;
> d) One former Commander in Chief of the army, one of the navy, another of the air force, and one former Director General of the *Carabineros*, who have served a term of at least two years, chosen by the National Security Council;
> e) One former rector of a state university... designated by the President of the Republic, and
> f) One former State Minister, who has served more than two years in a presidential administration previous to the current administration, also chosen by the President of the Republic.[13]

The most glaring of these items is certainly the four unelected senate seats for the military and *Carabineros*. But the other items also draw a great deal of criticism, for in the era of transition, only Pinochet appointees would be eligible for any of these seats. During his regime, Pinochet had appointed Supreme Court justices, comptrollers, university rectors and state ministers, making the pool of candidates overwhelmingly conservative. Perhaps even more significantly,

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[12]Wendy Hunter, *State and Soldier in Latin America: Redefining the Military's Role in Argentina, Brazil, and Chile*. Peaceworks No. 10 (Washington: United States Institute for Peace, 1996). 45, note 138.
[13]*Constitución Política de la República de Chile*: Artículo 45 (Santiago: Ediciones Publiley, 2001), 39-40. Author translation.

the only person qualified to take a designated seat under section "a)" was Pinochet himself. Further, Pinochet's successor would not qualify, as that term was shortened to four years. Only the second president to follow Pinochet would qualify for a designate seat. In light of the plebiscite results, the military rightly guessed that Pinochet's successor would come from the center-left. The military hoped that by the second democratic election the right could win. This shortened first term was negotiated in the interim between the plebiscite and Aylwin's inauguration. But in the same period, the *Concertación* also negotiated the increase of directly elected senators to 38, hoping to dilute the influence of the *Senadores Designados*.

The second essential civil-military constitutional issue rests in the National Security Council or *Consejo de Seguridad Nacional* (COSENA). Bearing no resemblance to the U.S. body of the same name, the COSENA meets only when called by the President or two of its members together. Intended to convene in times of crisis or threat to national security, the COSENA lodges its official opinion with the government after a majority vote. Also, as noted above the COSENA names the military *Senadores Designados*. Initially, the COSENA consisted of the President, the President of the Senate, the President of the Supreme Court and the commanders in chief of the armed forces and *Carabineros*. As with the *Senadores Designados*, 1989 reforms sought to dilute the military presence. The Comptroller General was added to the COSENA's membership, making for an even, yet very peculiar, four-four split.[14]

Whether these reforms were *Concertación* victories or Pinochet concessions, Pinochet enacted other laws during his final days that furthered the military's protection of its sphere. Not

[14]Peter Siavelis duly notes that the Constitution makes no provision for the adoption of resolutions after a 4-4 vote. *The President and Congress in Postauthoritarian Chile* (University Park: Penn State University Press, 2000), 38, note 90.

only did Pinochet hope to create an influential position of power for the military within the redemocratized state, but he also sought protections that would prevent the civilian government from exercising influence over the military. Artificial constraints were placed on military spending to guarantee an annual minimum baseline of appropriations. Constitutionally, future governments could not reduce military funding below 1989 levels. The military had already set this "floor" rather high, but also required that the floor rise with inflation. Further, a mechanism called the *Ley del Cobre* automatically earmarked 10% of the annual profits from the state copper corporation (CODELCO) for the purchase of new military equipment.[15] These funds cannot be used for personnel expenses, but only for procurement. Although the *Ley del Cobre* was originally written in 1958 under President Ibáñez, the Pinochet regime raised it to the 10% level prior to departure, further stating a minimum outlay that the state would pay if copper profits were insufficient.

One of the more notorious examples of military insulation and self-granted prerogatives remains the 1978 Amnesty Law. To protect its own against any future prosecution for the violence of its early years, the Pinochet regime passed an amnesty for acts committed between the September 11th, 1973 coup and March 10th 1978. The Amnesty Law prevents prosecution for murder and torture and has remained as a serious legal obstacle for human rights groups seeking justice against the military.

The military further insulated itself and institutionalized its autonomy with the thorough 1990 "Constitutional Organic Law for the Armed Forces." Essentially a military constitution,

[15]Although copper does not dominate the Chilean economy as it once did, the export earnings of the state copper corporation remain a large and important source of foreign exchange.

this document lays out the structural order of the military, from its *raison d'être* and mandate to the functioning of the pension system. The Organic Law delineates the hierarchy of the officer corps, stating the precise procedure and schedule for promotions, as well as the role of the commanders in chief. Articles 1 and 2 of the Organic Law copy directly from Article 90 of the Constitution in declaring that the Armed Forces "exist for the defense of *la patria*, are essential to national security and guarantee the institutional order of the Republic... The army, navy, air force and *Carabineros*, as armed bodies, are essentially obedient."[16] But the Organic Law goes on to clarify some rules of the apolitical and obedient military:

> Armed Forces personnel may not belong to political parties or labor unions, nor to institutions, organizations or groups whose principles or objectives oppose, or are incompatible with those stated above or with the role that the Constitution and the laws of the Republic grant to the Armed Forces.[17]

This description of a professional military body may be obeyed by the Chilean military, but a convincing argument can be made that the officer corps has become a political party of its own, even if its officers cannot belong to any established political organization.[18] While carefully avoiding public demonstrations of political bias, Chilean officers possess an ideological and political unity far stronger and more specific than that of any party or union.[19]

The supposed apolitical character of all military personnel becomes extremely difficult with respect to the *Alto Mando* (High Command). The job of the *Alto Mando*, as stated in both the Constitution and Organic Law, is to make the military's opinion known and lobby for the

[16]*Constitución Política de la República de Chile*: Article 90, 71. Author translation. The Organic Law only governs the actual armed forces and naturally omits "Carabineros" from the phrase used in the Constitution. Here we have one case where the subtle distinction between the Carabineros and the military excludes the federal police.
[17]*Ley Orgánica Constitucional de las Fuerzas Armadas: Ley 18.948*. Diario Oficial 28 February 1990. Article Two. Electronic version at http://www.conicyt.cl/legislacion/const-poitica/LOC5.html. Accessed 13 February 2001. Author translation.
[18]See Tótoro Taulis, 44.
[19]We will come later to cases where officers have walked a fine line between the official and unofficial, overt and subtle in demonstrating their political opinion.

military's interest to the President. Commanders in chief must oversee the entire administration of the military institution and state the military's requirements where dependent on the civilian government. But while these duties are standard for a commander in chief, the outgoing Pinochet regime wrote in special protections for the supreme offices of the three military branches and the *Carabineros*. While the President selects the commander in chief of each branch, he must be chosen from among the five with most seniority to serve a four year term. Once in office, a commander in chief cannot be removed by the President-- only the COSENA, half of which consists of four commanders in chief can retire a serving commander in chief. As with the highest ranking officer, the President has no authority to retire a serving military officer. Only the commander in chief can exercise this kind of military control.

Although the military left power quietly and without violence, it built its defenses carefully before returning to the barracks. For his part, Pinochet did not step very far from the limelight. Staying on as commander in chief of the army for another eight years, he moved back to the Ministry of Defense, which has a nice view of *La Moneda*.

The Aylwin Years (1990-1994): The Stubborn Elder Statesman

Patricio Aylwin's administration was shortened to four years before he even began it, marking his term as a transition before the new Chilean democracy would enter into full force. But despite this shortened term and the daunting obstacles in the way, the Aylwin administration worked throughout its four years to increase civilian democratic control over the military. Upon inauguration, Aylwin faced a system of military tutelage outlined by Pinochet. The military enjoyed almost total autonomy over its own policy sphere and also had a great deal of influence

over policy in general. The civilian government had no ability to control military or defense policy and also faced constitutional difficulties and potentially fierce institutional resistance from the military against any efforts to further democratic control.

Of the strategies offered by Carlos Fuentes for combating military tutelage or insubordination, the Aylwin administration chose "noncooperation."[20] Rather than attack the large constitutional problems head on within the arena constructed by the military, Aylwin elected to use the few official avenues left open for assertion of civilian control and to pursue less official methods. Informal controls and symbolic demonstrations of civilian control or military subordination served the Aylwin administration not only in a decisive transition to democracy, but also towards the end of military tutelage.

Aylwin began his symbolic demonstration of civilian supremacy at his inauguration where he refused to allow Pinochet to present him with the presidential sash.[21] This bold action did not formally deviate from the law or the tacit pact of transition, but did send a clear message. This would be the pattern for civil-military relations throughout the Aylwin administration. Such issues of procedure or protocol fell within the room allowed for interpretation of the Constitution. In another example, Aylwin repeatedly emphasized the administrative distance between himself and the military. By routing the policy process and communication through the Minister of Defense, rather than dealing with the commanders in chief directly, Aylwin emphasized that they were theoretically dependent upon the Defense Ministry. Similarly, to

[20]Fuentes, 120. See Chapter One.

[21]This broad traditional sash is worn over the shoulder of the President on ceremonial occasions as a symbol of democratic power. Tradition dictates that the outgoing President personally present the sash to his replacement.

emphasize the apolitical role, Aylwin resisted convoking the COSENA.[22] Due to the excessive military presence in the COSENA and the undue influence thereby granted to the military, Aylwin avoided the COSENA so that this avenue for military tutelage would not be used. Denying the COSENA as an opening through which the *Concertación* and the military could meet or negotiate, the Aylwin government created other less formal structures to facilitate communication between the army and the government. Direct contacts between Aylwin's ministers and the army allowed the government a recourse for negotiation or crisis-handling without legitimizing the tools of tutelage set in place by the military.

Beyond these evasions, Aylwin attacked the military directly with what tools he had. In September of his first year in office, Aylwin won a battle over the constitutional law governing officer promotions. While the President still lacked the ability to retire officers, he could freeze their career by refusing to promote them. This gave Aylwin a substantial, if antagonistic, tool for exercising civilian control. Aylwin used this "freeze-veto" against suspected human rights criminals, as well as some officers who didn't pay sufficient respect to the civilian government. Fuentes cites the example of Aylwin freezing the career of the officer who led the traditional army day parade without making the ceremonial request to the president for permission.[23]

The civilian government also possessed other formal means for exerting control over the military through the budget. The President, through his appointed Defense Minister, must

[22]Fuentes, 122.

[23]This was not a real question of permission or approval, but a small piece of tradition that the army broke to make a subtle statement. As mentioned previously, the army stages an immense parade in Santiago's *Parque O'Higgins* every September 19th. The President and his government wait in a reviewing stand, and the ceremonial parade leader rides ahead of all the other troops, coming to a halt before the President to formally ask permission. Fuentes mentions the incident as a retaliation for Aylwin's refusing the sash from Pinochet at inauguration. See "After Pinochet," 121.

approve military procurement and the overall strategic defense plan. As mentioned above, the military secured certain assurances for its own budget before departing power. However, the changing Chilean economy turned this intended prerogative for the military into a pressure point vulnerable to civilian control. The Aylwin government could not produce the legislative supermajority necessary for a reduction of the military budget, but it was in no way obligated to raise it. Therefore:

the Aylwin administration gave the military just what the law specified-- the equivalent of the 1989 military budget, adjusted for inflation, effectively converting that minimum into a maximum. Soon, the military realized the mistake of tying its budget to the inflation rate. While the inflation rate tended to decline, the nation's economic growth tended to increase.[24]

Rodrigo Atria illustrates this trend in pointing out that "while in 1990 defense spending represented 95% of spending on education, by 1997 it came to represent only 53%."[25]

But these artful challenges to the military's autonomy did not go unnoticed by Pinochet and the military. The Aylwin years saw several moments of high tension in civil-military relations in the still tenuous democracy. The most serious standoff of the Aylwin administration had its origins in allegations of corruption among senior officers during the military regime. Evidence came to light that top military officials, as well as Pinochet's son, might have abused their positions for personal profit in banking, real estate and arms trading deals.[26] Because of the transfer of checks, the scandal became known as the "*cheques*" case. Congress began investigations into the allegations, and with the army's honor in question many began to discuss

[24]Fuentes, 125.

[25]Rodrigo Atria, "Estado, militares y democracia: La afirmación de la supremacía civil en Chile," *Fuerzas Armadas y Sociedad* (FLACSO-- Chile) 15.1 (January-March 2000): 44. Author translation.

[26]For the specifics of the allegations, see "Trust the General" *The Economist* 26 January, 1991: 38.

the possibility of Pinochet's resignation. But Pinochet reacted strongly, expressing his displeasure with a show of force. As commander in chief, Pinochet ordered army units throughout the country into a state of alert with all personnel confined to the regiments to stand by their posts. While claiming a routine training exercise, Pinochet made clear that the entire army stood with him and had its eye on the Aylwin government. But Aylwin would not be intimidated-- the President reacted by summoning Pinochet to *La Moneda* to ask for an explanation. The immediate crisis abated and possible resolutions to the *cheques* case were debated.

The handing over of the congressional investigation to the courts, however, provoked a second crisis. Convinced that the government was aggressively out to get them, and taking advantage of Aylwin's absence in Europe, Pinochet called all of the army's generals together for a meeting in Santiago. The generals arrived in combat fatigues while armed paratroopers stood guards outside the military headquarters building.[27] Because Chilean officers wear berets (*boinas*) as part of the combat uniform, the incident has been remembered as the "*boinazo*." To send the message that this "aggression" would not stand, the army was again placed in a "state of alert," and this time combat dressed troops waited five days in their regiments. Negotiations between the Aylwin administration and the army (Aylwin's ministers had to stand in for the traveling president) resolved the crisis. Chiefly, the government conceded to eliminate publicity and lower the profile of the *cheques* case, and to address some pressing administrative issues that were being held up in the Ministry of Defense. However, the army did not achieve one of its main goals in that "the government refused to ask for the defense minister's resignation."[28]

[27]As mentioned above, the armed forces headquarters is directly across from *La Moneda*. The proximity gave the demonstration a direct and powerful force.
[28]Fuentes, 124.

The Aylwin administration had its share of crisis, and the military remained a strong political force in 1994, insubordinate to the civilian authority. But if not fully quantifiable, Aylwin's tenure at *La Moneda* set a clear precedent for civil-military relations in refusing to allow a tutelary regime to take root. The *Concertación's* reelection in 1994 ensured that Aylwin's successor would share the same goal of democratic control over the military.

1994-1998: Second-turnover and Stabilization

As if coming full circle around the military regime, Chile elected the son of Allende's predecessor to follow the Aylwin transition from military government. Eduardo Frei Ruiz-Tagle represented the Christian Democrat party, yet marked a new generation of that from his father and Aylwin. In addition to the generational change, the younger Frei encountered a better marked playing field of civil-military relations, thanks to the efforts of Aylwin. Aylwin's testing of limits and stubborn defense of the civilian realm of control let Frei know what to expect out of the military when threatened with subordination. Because Aylwin had drawn a line in the sand, Frei was able to pursue a less antagonistic strategy with a certain level of engagement.

It can be argued that the Frei government did not share the goal of military subordination as defined by Aylwin. Frei's administration "represented a new generation of Christian Democrats, "less committed to the struggle against the military regime and more business-oriented."[29] This new generation approached government, and relations with the military, with less idealism and more concern with the overall development of the country beyond the political arena. However, Frei did not abandon the affirmation of civilian authority over the military, but rather shifted to an engagement strategy and held modest, shorter-term goals.

[29]*Ibid*., 127.

In dealing with the military, Frei dwelt much more in the official realm of defense policy and constitutionally mandated structures. When disagreements or tensions mounted, the Frei government had no fear of convoking the COSENA. Like Aylwin, Frei dealt with the military through the channels of the Ministry of Defense. However, Frei used this structure not to make symbolic gestures about military subordination, but to actually make military and defense policy out in the open. Bringing these policies and the policymaking process into the public eye emphasized the democratic goal of peaceful coexistence between the civilian government and the armed forces. Meanwhile, the Frei government stepped back from the larger and more difficult battles, especially constitutional reform, despite the demands of leftist parties. These more leftist elements of the *Concertación*, as well as liberal and human rights groups in the burgeoning civil society, called for Frei to more actively contest the army's prerogatives and seek justice for past human rights violations. For its part, the military still sought an exit from the *cheques* case, governmental support for military modernization, and, as always, an increase in low salaries.

These tensions came to a head in 1995, upon the Supreme Court's prosecution of General Manuel Contreras, the former director of DINA, for the Letelier assassination. In this international high-profile case, the Supreme Court held Contreras, as well as his second-in-command, Colonel Pedro Espinoza, responsible for the Washington car-bombing. The two were convicted, but while Espinoza went to prison immediately, the military temporarily hid Contreras in a navy hospital. Officers showed their solidarity with Espinoza through a mass visit to the Punta Peuco prison. Adding to the list of military political demonstrations, the *Peucazo* made a clear statement of officer sentiment, while making no official declaration, as all officers were off

duty and wore no uniforms. As in the Aylwin years, the military used these pressure politics to present a series of demands to the civilian government. Frei, perhaps more conciliatory than Aylwin would have been, agreed to abandon the long festering *cheques* case, increase military salaries, and to make more amenable the conditions, if not the fact, of Contreras and Espinoza's imprisonment.

While Frei received a great deal of criticism for being to soft on the armed forces, his engagement strategy stabilized the dynamic established by Aylwin of military subordination to the civilian government. This subordination was certainly incomplete, due chiefly to the continued constitutional prerogatives afforded the military in the Senate, COSENA, budget and Organic Law. Nevertheless, by 1998 the transition to democracy was certainly complete, with military tutelage clearly defeated. The Frei government looked to the challenges of full democratic consolidation from a strong position, able to exert immense influence on the military.

Chapter Four:

Moving Beyond the Pinochet Era: 1998-2001

> "Who are these men who all dress alike, wear their hair short and speak strong and clipped as if they were masters of some ancestral truth?"
> -Dauno Tótoro Taulis, 1998[1]

In 1998, after 25 years as commander in chief of the army, Pinochet retired. This alone would have marked the end of an era for the military that had been under Pinochet's leadership since the 1973 coup. Pinochet would no longer be at the helm of the armed forces and stand on the front lines of civil-military relations. Indeed, until Pinochet's retirement, relations were not so much civil-military as civil-Pinochet. Though his retirement marked an essential step in moving beyond the past, optimism was guarded as Pinochet assumed his permanent seat in the Senate as the first ever *Senador Vitalicio*. No one predicted what happened next. Soon after Pinochet took his self-appointed place in the Senate, Chilean civil-military relations entered a new phase, as Pinochet went from commander in chief to senator to prisoner. These unforeseen developments fundamentally changed the rules of Chilean civil-military relations, truly making a new era possible. Pinochet remained a powerful and polemical symbol for Chileans on all sides. Through the 1999 presidential campaign and the first year of the new administration the Chilean political climate stayed hot, yet evidence began to point to the society's desire and ability to move beyond its troubled past.

Pinochet finally stepped down as commander in chief of the army eight years after departing the presidency. Chile's constitution, like most others, enshrines the importance of

[1] *La Cofradía Blindada*, 39.

turnover in the highest positions of authority. In the Chilean case, a president serves six years, while a military commander in chief serves four. Pinochet's tenure in these positions has no precedent. The seventeen years with Pinochet as "president" changed Chile forever, and the effect on the armed forces after 25 years under only one commander was equally pronounced. However, the institutional strength of the Chilean military, and the high level of professionalism among the officer corps prevented any complications for the institution upon Pinochet's departure. For Chilean democracy, Pinochet left the 1980 Constitution which governs the country today with only slight modifications. Under Pinochet, military pride in itself as the righteous defender of *la patria* and the myth of the conqueror became stronger than ever. While its structure became rather top heavy, the Chilean officer corps developed an institutional identity based on ironclad solidarity. But the army's identity, and to a lesser extent that of the navy and air force, resided in Pinochet as the central infallible figure of its past and present. Highlighting this personalization, Fuentes points out that the civil-military crises of the 1990s "arose in defense of Pinochet's personal reputation and that of his family, rather than of the military institution itself... Pinochet and the military's interests are one and the same: political defense of the military regime's legacy."[2] But despite this powerful identification, the institutional strength of the Chilean military would eventually allow it to overcome a strict equation of the armed forces to Pinochet.

Pinochet's handing over the reins of the army to General Ricardo Izurieta in March 1998 marked a point of departure for the army. Upon retiring, Pinochet exercised his constitutional right to become a *Senador Vitalicio* (Senator for Life). It seemed as though Pinochet, like some "untouchable" would never depart the highest political circles, but simply move his nominal office when necessary, from the presidency to army headquarters to the Senate. Determined to retire Pinochet more effectively, members of Congress began a movement to impeach Pinochet.

[2]Fuentes, "After Pinochet." Pg. 135.

Frei feared the reaction to such an antagonistic move and lobbied against it. Half of the legislators in Frei's Christian Democrat party agreed with him, sufficient to defeat the motion 62-52.[3] The impeachment bullet dodged, Pinochet seemed as untouchable as ever.

El Caso Pinochet

In October 1998, Senator Pinochet traveled to London for surgery on a diplomatic passport. Then, to worldwide shock, British police serving a Spanish warrant arrested Pinochet in hospital. It was soon discovered that a Spanish judge, Baltasar Garzón, had personally built a case against Pinochet based on the death and disappearance of Spanish citizens under the military regime. While the world waited to see if the British courts would extradite Pinochet to Spain, complicated legal questions surfaced. Opinion in Chile remained starkly divided on precisely what Pinochet's position was, while foreign courts were tried to determine what status Pinochet held before the law. The Chilean constitution had made Pinochet a legitimate member of the Senate. Whatever the conditions under which that constitution was written, Pinochet's office entitled him to diplomatic immunity. His status as a former head of state strengthened his claim to immunity from international prosecution. The Frei government immediately demanded that the British release Pinochet. Though no friend of the general, the *Concertación* government had to uphold the Constitution and protect the state from violations of its sovereignty. Representatives of the Foreign Relations Ministry traveled to London to make the government's case, while in Santiago *Carabineros* put up barricades to protect the British and Spanish embassies from crowds of angry Pinochet supporters. In London, Pinochet was moved to a comfortable house arrest in a London suburb where he would remain for a year and a half.

Other countries, including France and Belgium, jumped on Garzón's bandwagon and asked for Pinochet's extradition. It began to seem as though arguments of Chilean sovereignty

[3]Gustavo Gonzalez, "Chile: Rebellion in Ruling Party Over Impeachment Attempt." *Inter Press Service.* 10 April, 1998.

and diplomatic immunity would not hold up.[4] Prosecution attorneys considered him no more than a retired dictator with no right to diplomatic immunity. Pinochet's defense added the argument that Pinochet, in his eighties, was too old and infirm to stand trial. The case dragged on, and many began to think that a long stalemate would end only with Pinochet's death in captivity. But while resolution was left highly uncertain, the rules had fundamentally changed. Pinochet no longer enjoyed the immunity of an untouchable. Many began to discuss the possibility of his trial in Chile should he escape extradition and trial in Spain.

Pinochet's detention galvanized public opinion, providing a clear snapshot of how Chileans felt. In the spring of 1999, a *Centro de Estudios Publicos* (CEP) study found that only 33% of Chileans believed the "Spanish or English authorities had the right to submit Augusto Pinochet to trial," while 54% believed they did not.[5] However, in considering a process in their own country, fully 69% of Chileans believed that Pinochet should be put on trial in Chile, while 19% opposed the idea.[6] Throughout this period, 25% of Chileans claimed to hold a "positive" or "very positive" opinion of Pinochet.[7]

The military did not stay completely silent on Pinochet's detention, but kept their careful protests quiet and unofficial. Some officers attended protests out of uniform and off duty, and some were even arrested. In the September 1999 annual military parade, Pinochet's name was stenciled in black on the side of a tank that filed by President Frei's reviewing stand. Though highly publicized, these demonstrations did not draw much response from the Frei

[4]For a further discussion of these precise legal questions, see Salvador Millaleo, "Chile en la encrucijada de la democracia incompleta." *Nueva Sociedad* 161 (FLACSO-Chile), May-June 1999. Millaleo addresses the universal jurisdiction of human rights and sovereignty on pages 136-143.

[5]Centro de Estudios Publicos (CEP), *Estudio Social y de Opinión Pública: Abril-Mayo 1999*, Documento de Trabajo #295. Santiago, June 1999. Question 19, Pg. 10. Author translation of poll questions.

[6]*Ibid*., Question 20, Pg. 10.

[7]*Ibid*., Question 18, Pg. 9, and CEP, *Estudio Social y de Opinión Pública: Septiembre-Octubre 1999*, Documento de Trabajo #300. Santiago, November 1999. Question 9, Pg. 6. This 25% was well behind the approval of the two leading presidential candidates who both rated well over 50%.

administration. CEP polls during Pinochet's detention also made an interesting discovery about the behavior of different institutions in this delicate political situation. Asking respondents to grade different institutions on their behavior with respect to Pinochet's detention, the armed forces and the Catholic Church tied with highest marks. They were closely followed by two diametrically opposed interest groups: *La Fundación Augusto Pinochet* and the *Agrupación de Familiares de Detenidos Desaparecidos* (Relatives of the Imprisoned and Disappeared). The government and members of Congress, particularly from the Socialist and Communist parties, received the lowest evaluations. While only a mild signal of popular support or confidence in the military, this poll does signal a willingness or ability on the part of the Chilean people to separate Pinochet from today's armed forces.

The Pinochet case figured prominently in the Chilean press, and dominated coverage of Chile in the international press. However, to put this information in the grand scheme, when CEP asked which problems were the most important to resolve in the short term, Pinochet's detention finished fourth, with only 7% of responses, behind "Economic problems deriving from the Asian crisis," "Power outages," and "Increase in crime."[8] These polling figures capture the Chilean people's opinion at a key turning point, and mark out the mandate under which the civilian government would handle this central figure in civil-military relations.

Following various controversial medical exams, the British government, led by Home Secretary Jack Straw, determined that Pinochet was unfit to stand trial. In their opinion the strokes that Pinochet suffered in Britain "had impaired his mental capabilities to the point that he would not be able to follow or participate in a trial. Given his age and condition, he was not expected to recover."[9] Pinochet was therefore released on March 2nd, after a year and a half under house arrest. A Chilean air force jet quickly spirited Pinochet away before the British

[8] CEP, June 1999. Question 15, Pg. 8.
[9] "The General Sneaks Away." *The Economist*, 4 March 2000.

government could change its mind.[10] But the controversy did not end with Pinochet's departure. An army contingent led by Commander in Chief Izurieta met Pinochet's plane at the Santiago airport, and Pinochet, who had been confined to a wheelchair throughout his stay in London, was lowered to the tarmac. Then, in a shock to all, Pinochet stood and walked (with some assistance) away from the plane, waving to his supporters. This display greatly embarrassed both the Chilean government who had lobbied for his release due to poor health, and the British government who had released him. Nevertheless, Pinochet would enjoy only a brief moment of triumph, for he had returned to a much changed Chile.

The 1999 Election

Only one week after Pinochet returned to Chile, the nation inaugurated its third post-authoritarian president. Ricardo Lagos Escobar, a long-time Socialist party figure, won a very narrow victory to continue the *Concertación's* hold on power. The 1999 elections, together with Pinochet's detention, marked a momentous development for Chilean civil-military relations and democratic consolidation. The lively but peaceful competition and debate across a divided society further revealed the survivability of Chilean politics and society, despite the deep rifts that persist among the Chilean people, and specifically within civil-military relations.

The vital Chilean party system put six presidential candidates on the ballot for the 1999 election, yet in reality the contest, not unlike the 2000 U.S. presidential election, had two major candidates and one possible spoiler.[11] Many Lagos supporters feared the candidacy of Communist party leader Gladys Marín would earn enough of the liberal vote to throw the election to the opposition. Opposing Lagos and the Concertación was Joaquín Lavín at the head

[10]The conditions of his release were somewhat murky. Some argue that Straw let Pinochet escape by not warning the press and human rights groups of his release. Pinochet was driven away before dawn, and was in the air before anyone knew what had happened.

[11]Three other minor candidates did not have much influence in the election, but Chilean campaign laws granting free and equal television time to all candidates made them a visible and vocal presence. These three were Tomas Hirsch of the Humanitarian Party, Sara Larraín, an independent envrironmentalist, and Arturo Frei Bolivar of the Popular Alliance (a minor center-right coalition).

of the center-right *Alianza para Chile* (Alliance for Chile). Lavín, one of the famed "Chicago Boys," ran a vibrant campaign emphasizing his youth and commitment to change, as well as his success as mayor of Santiago's wealthy Las Condes district. Lavín downplayed his involvement with the military regime, and although many equated a vote for Lavín to support for Pinochet, Lavín emphasized the future rather than the past with his slogan "*Viva el Cambio*" (Long Live Change). This message found a substantial following, and Lavín soon became the first viable candidate for the right since the transition. Alfredo Rehren argues that tripartite Chilean system has been crammed into two center-seeking blocks. While small parties may be marginalized, Rehren points out that the unification of the right and some of the center behind Lavín "represents, from the opposition, a real alternative for government, an essential and healthy element for the proper functioning of a democracy."[12] In particular, the rise of that center-right coalition creates a new, moderate opponent for the *Concertación*. A new competition between fully legitimated political elements therefore replaces the old dynamic of military versus opposition.[13]

The forward-looking nature of both candidates manifested itself in their positions on the inescapable issue of Pinochet's detention. Pinochet was in London throughout the entire campaign, returning well after the new president had been chosen. Lagos and Lavín took essentially the same position on Pinochet, supporting the Frei government's efforts to return him to Chile. The candidates would waffle when pressed about how to handle Pinochet should he return. This subdued attitude reveals the changed priorities of these two men, one of whom held posts in the military government, and the other who had served Allende and stood up to Pinochet in 1988.[14] In an essential move for carrying Chilean democracy beyond the Pinochet era, "the

[12] *La Tercera*, 14 December 1999, Pg. 13. Author translation.

[13] A version of this argument and the citation of Rehren appeared in an earlier paper for "The Rise of New Democracies" with Dr. Shelley Rigger, May 2000.

[14] Arturo Fontaine Talavera describes a scene in which Lagos, "a hero of the democratic opposition, had gained renown in a telecast during the 1988 plebiscite campaign by pointing directly at the camera and personally challenging Pinochet." In "Chile's Elections: The Face of the New Right." *Journal of Democracy* 11.2 (2000): 71.

civilian political sectors that supported the military regime began a clear process of distancing themselves from Pinochet."[15]

The campaign, and the candidates' platforms, stuck mostly to the bread and butter issues of economic strength, health and education. The two men certainly represented divergent personal histories, and their campaign styles differed visibly between the elder Lagos and younger, hipper Lavín. Yet the two centripetal candidates did not reveal enormous differences on the basic issues. Lagos, a Socialist, had come to accept the realities of the modern economy and become more pro-business, while Lavín and others of the Chicago school had come to realize the dangers of unchecked neo-liberalism. First round election results reflected the consolidation of the party system into two blocks and the issue proximity of the two leading candidates. In a virtual tie, Lagos and Lavín received 47.96% and 47.52% respectively, forcing a additional month of campaigning before a runoff. The small but strategic Communist vote (3.2% in the first round) swung to Lagos, leading him to a 51.3% victory over Lavín's 48.7%. Although defeated, Lavín has maintained a high political profile, and was elected mayor of central Santiago only a few months later. With an impressive showing in 1999, and still the leader of the new Chilean right, Lavín has used his mayoral post as a watchdog pulpit and will surely figure prominently in politics-- likely as a presidential candidate in 2005.

In his victory speech, Lagos made clear that he did not intend to intervene in the Pinochet case-- the charges raised against him would remain within the autonomous judicial system. Inaugurated the following March, Lagos made clear that he wanted to focus his government's energies on the problems that most concerned the people. Asked after Lagos' inauguration "what are the three problems to which the government should dedicate the greatest effort?", Chileans

[15]Atria, 44.

responded overwhelmingly for unemployment, poverty, crime and health.[16] Chilean concern with these issues, and apparent lesser concern for human rights, remained constant over the year 2000.[17] But this low level of preoccupation did not imply any abandonment or lower profile of the Pinochet case.

El Caso Pinochet under Lagos

By the time Pinochet returned to Chile and Lagos took his office in *La Moneda*, the Chilean courts already had charges pending against the retired general. Lagos has continually emphasized the independence of the courts from the executive to remove himself from involvement in the Pinochet case. Even though the Pinochet case is fundamentally wrapped up in questions of human rights, civil-military relations, and constitutional reform, Lagos has refused to consider a political solution to the case. He has mostly succeeded in leaving Pinochet to the judiciary, although he cannot completely ignore a case as high-profile and socially intertwined as the Pinochet case. Further, the intricate Pinochet case only grew more surprising and complex through Lagos' first year in office.

The first legal issue, as it had been during extradition proceedings in Britain, was Pinochet's senatorial immunity. After his return, the issue of his senatorial privilege was quickly brought before the Supreme Court. Pinochet's attorneys argued that he had never had any personal involvement in any human rights violations under his government. To revoke his immunity would brand Pinochet an accused criminal and prepare him for trial. Most had believed that the Supreme Court would not make such a strong statement, but after leaking the result weeks in advance, the court announced that it had voted to strip Pinochet's immunity. This unexpected development, beyond sending a powerful message, upheld a unique interpretation of

[16]CEP, *Estudio de Opinión Pública Nº 40*, November-December, 2000. Graph of response data online at: http://www.cepchile.cl/encuestas/nov_dic_00/ings/diapositiva12.jpg. Accessed 22 January, 2001.

[17]*Ibid*. Some 6% of people mentioned human rights as one of the three most important issues. Jobs, poverty, crime and health care all figured in at least 40% of mentions (totals added to 300%)

the amnesty law which the military regime put in place before leaving power. Under this *Ley de Amnistía*, the military could not be held criminally liable for its actions from 1973-1978. To get around the law, judges interpreted cases of "disappearance" as continuing kidnappings, rather than murder. Unresolved crimes fall outside the five-year amnesty and opened an avenue to prosecution. This interpretation of the amnesty law not only gave human rights groups and their lawyers a means to seek justice against suspected criminals, but also gives military officers an incentive to provide information. Determining the final resting place of victims would resolve cases and close the ambiguity loophole that could allow prosecution.

But following the removal of Pinochet's immunity, his health remained the greatest barrier to a trial. The medical tests in Britain had confirmed his diabetes and Parkinson's disease and diagnosed his loss of motion due to strokes. More importantly, the tests had shown that his short and long-term memory had weakened well beyond the normal level for his age. This, combined with certain difficulties with comprehension, especially of complex instructions, rendered him unfit for trial.[18] Most believed that his failing health would save him from trial, just as it had prevented his extradition.

All of these questions are now being put to the test by the unresolved "Caravan of Death" case. The case refers to a series of executions of prisoners detained by the military following the 1973 coup. Led by General Arellano Stark, the "Caravan" traveled the length of the country by helicopter to different military installations where prisoners were held. As presented in the courts, the Caravan was responsible for 57 executions and 18 disappearances.[19] The prosecution, led by a special magistrate, Juan Guzmán, alleged that Pinochet served as "intellectual author" of the plan. While the Caravan case has been known for some time as one of the more notorious

[18]See "Las dudas sobre el verdadero estado de salud de Pinochet," *La Tercera*, 4 March, 2000 and *The Economist,* 4 March 2000, *op. cit*.

[19]"Lagos decide hoy ditación del Cosena," *El Mercurio* Online, 6 December, 2000.

examples of military violence in the regime's early days, Pinochet had never been implicated until Guzmán handed down an indictment on December 1st, 2000. Although the indictment placed Pinochet under house arrest, appeals to the Supreme Court soon freed him due to procedural irregularities on Guzmán's part. Nevertheless, this unprecedented action allowed an interesting snapshot of public opinion. According to a December 2000 poll by the Center for Contemporary Reality Studies (CERC), 50% of Chileans supported Guzmán's indictment of Pinochet while 33% opposed it and 17% didn't know or had no response.[20]

Some of Santiago's more sensational papers started portraying the court case as a personal battle between Pinochet and Guzmán, for the government and the military were staying rather quiet to leave the stage to the accuser and the accused. As we shall see later, however, the extent to which the government and the military should or should not stay out of the case remained a subject of serious debate. Guzmán regrouped, despite the heavy criticism levied on him by Pinochet supporters, and took new steps to begin Pinochet's prosecution. Realizing that he would have to build a stronger foundation for the case, Guzmán sought a new series of medical exams and a preliminary interrogation of Pinochet. Guzmán scheduled medical exams for the first week in January of 2001 and forged an agreement with Pinochet's lawyers on the precise conditions of the exams. The tests were to take place in Santiago's Military Hospital over two days with doctors appointed by both Guzmán's office and Pinochet's defense attorneys, while lab work would be contracted out to several different independent clinics to ensure a reasonably objective analysis. After some initial controversy when Pinochet failed to show up on the appointed day, the tests were carried out on January 5th and 6th. The medical teams' findings confirmed Pinochet's mental health problems, but determined that "in spite of the apparent physical deficiencies, . . . [he] understands normally the questions posed to him and expresses

[20]Barómetro CERC, December 2000. http://www.cerc.cl/Gradic00.htm. Accessed 22 January, 2001.

himself clearly."[21] Next, in what may have been a risky move for him, Pinochet agreed to let Guzmán depose him in his home.

During the interrogation, Pinochet stuck to his defense that he had no personal involvement in the crimes and that local commanders had taken the prisoners and executed them without his authorization. However, this charge was quickly contested by one of these local commanders, retired general Joaquín Lagos, who went on television to claim that the officers heading the "Death Caravan" carried written authorization from Pinochet. The personal interview and the medical exams led Guzmán to issue a new arrest warrant, much less vulnerable to appeal. Pinochet's lawyers immediately appealed the arrest, challenging Guzmán's interpretation of the medical exams. After hearing arguments, the Appeals Court took three weeks to come out with a unique and crafted decision. In March, the three judge panel upheld Guzmán's indictment of Pinochet, but made a nuanced alteration to the indictment's language. The Appeals Court decision considered Pinochet's role in the Caravan "not as the author, but rather as an accomplice [in the cover-up], more comparable to a political responsibility than a criminal one."[22] That is to say that Pinochet had not ordered the murders and detentions at the hands of General Stark and the Caravan, but had acted to cover up the human rights violations after the fact. This change placated, if it did not please, Pinochet's defenders and detractors. On one hand, the impeached Senator's culpability was reduced but human rights groups could take heart that the courts had not overturned Guzmán's indictment and had set the stage to continue with Pinochet's prosecution.

This most recent judicial decision represented a tidy compromise that neither side is

[21]"Texto completo de la resolución del juez Guzmán para procesar a Pinochet por el caso Caravana de Muerte." *La Tercera* Web Site. http://www.tercera.cl/casos/pinochet/documentos/procesamiento.htm. Reprint of Guzmán's resolution from 29 January 2001. Author translation.

[22]Molina Armas, Pilar. "Pinochet: Cambio ¿y Fuera?" *El Mercurio Online*, 11 March, 2001. Author translation. "Accomplice" is a poor translation for *encubridor*, which literally means "coverer."

contesting. This delicate balance may signal the start of the Pinochet endgame, but as of this writing, the next step in the case remains unknown. The most likely scenarios will drag on a good deal longer. The defense has different appeal and delay options, while the prosecution could offer new accusations or evidence if they are turned back. Meanwhile, Pinochet's health deteriorates rapidly. Even if he was most recently deemed fit enough to stand trial, his condition may have decayed enough by the time of an eventual trial to excuse him. Depending on how fast his health worsens and how long judicial proceedings drag on, there is a legitimate possibility that Pinochet will simply die before he can be judged. As morbid as it may seem, this eventuality might be the most desirable one for Chilean society and the state of civil-military relations. His death will close that chapter of Chilean history more definitively than any trial could. While the victims of the military regime would be denied the justice they want and deserve, the nation would be able to Pinochet behind them without deepening social schism through a trial. Further, any court decision would leave one or both sides feeling wronged. Any judgment that found Pinochet completely innocent or guilty would enrage one side. If the courts produced some compromise or moderate guilty verdict, both the general's supporters and human rights groups would remain unsatisfied. These legal proceedings can and should continue in spite of the difficulties surrounding them on all sides. However, Pinochet's natural death before judgment offers a final, apolitical and no-fault exit from a peculiarly entangled legal battle and a polemical chapter in Chilean history.

Civil-Military Relations in 2001: Two Case Studies from the Chilean Summer

As we look at the first months of 2001, the Pinochet case and human rights issues remain unresolved and hold certain implications for the state of civil-military relations. President Lagos, the central figure to this dynamic, has continued the work of his *Concertación* predecessors to affirm military subordination to democratic power. In a certain sense, Lagos has followed

Fuentes' "division of spheres" strategy.[23] Lagos has only entered into commentary or action on the Pinochet case when the military has threatened to overstep its bounds, emphasizing that neither his government nor the armed forces will be allowed to interfere in the judicial process. But at the same time, Lagos has sought to engage the new, more moderate military leadership in resolving human rights issues. The prime example of this "engagement strategy" is the recently concluded *Mesa de Diálogo* (Dialogue Table) that sought to determine the final resting place of those who "disappeared" under the military regime. The Truth and Reconciliation Commission established under Aylwin, known as the Rettig Commission, established a total of 1,243 *desaparecidos* under the military regime. The *Mesa de Diálogo* would bring together human rights organizations, church groups and the military to gather facts about the fate of these disappeared. The idea began during the Frei government, but the *Mesa* did not really begin functioning until the Lagos administration. A June 2000 agreement encouraged participation of military officers through anonymity and set a January deadline for a report. Lagos expressed particular pride in this ad-hoc institution "because we have there an example where civil society, human rights attorneys and the military come together."[24] Nevertheless, the *Mesa de Diálogo* was not without its detractors. The *Agrupación de Familiares Detenidos Desaparecidos* (AFDD), one of the leading groups in Chile on the issue, chose not to participate in the *Mesa*, considering it an artificial and unnecessary creation. For its part, the Communist Party considered the *Mesa de Diálogo* a cheap and overly conciliatory political move by the government. Still, the report resulting from the *Mesa* was greatly anticipated on all sides. Lagos handled the military carefully, highly conscious that their cooperation was essential to the success of this important step. The impending report deadline fell in tense moments for civil-military relations. The month before, Judge Guzmán had made his hasty initial arrest of Pinochet, and as the *Mesa de Diálogo* report deadline approached, Guzmán was arranging a stronger case against the

[23]See Chapter One.

[24]Lagos interview with *El País*, 27 August 2000. Accessed through *El País Digital*, http://www.elpais.es/p/d/20000827/internac/lagos.htm. Accessed 27 August 2000. Author translation.

impeached senator with medical exams.

Lagos' First COSENA meeting

The first weeks of 2001 saw the convergence of several key issues stemming from the military regime's legacy. Concerned with these related but separate issues, the military began to signal its desire for a meeting of the National Security Council (COSENA).[25] As mentioned in Chapter 3, Aylwin had eschewed convening the COSENA for fear of legitimizing the military's desired tutelary role. President Frei Ruiz-Tagle held only a handful of COSENA meetings, most notably during the tenser moments of Pinochet's detention in London. This fit with Frei's preference for an engagement strategy, and Aylwin's resistance to the enshrining of military tutelage made such meetings less problematic for the government. A Socialist, in contrast to his two Christian Democrat predecessors, Lagos appeared to follow Frei's engagement strategy more than Aylwin's noncooperative approach or believing in a division of spheres. Nevertheless, Lagos had not called a COSENA meeting during his first nine months as President.

The 1980 Constitution states only vaguely that the COSENA shall address issues of national security, making its official opinion known publicly or privately to the various branches of government. This openly interpretable mandate, together with the ease with which the COSENA's members can call a meeting, make the COSENA's precise role in Chilean democracy highly ambiguous. While the military, and sometimes the government, may consider the COSENA a useful avenue for government-military liaison, other sectors reject the COSENA as an undemocratic aberration in the constitution. Further, many choose a strict interpretation of the constitution such that the COSENA should only convene in reaction to a serious national security threat (i.e. external aggression or internal political instability or violence).

[25]See Chapter Three.

As January approached, then, the COSENA came to the front of the civil-military debate. Liberal groups in Chile, led by the Communist Party, the AFDD and the FECH[26] (University of Chile Student Federation), as well as Amnesty International condemned the COSENA meeting.[27] On the most basic level, these groups pointed to the absence of national security threats to invalidate a COSENA convocation.[28] Further, the left saw the military's desire for a COSENA meeting as nothing more than a reaction to Guzmán's pursuit of Pinochet. Convening the COSENA to handle a judicial issue has no constitutional basis, but fearing that the military would use the COSENA to intimidate Lagos into a political solution to the Pinochet case, Pinochet opponents asked Lagos to avoid such a meeting. The current attitude of the judiciary, represented by Guzmán's efforts, indicated the likely prosecution, if not conviction, of Pinochet. Any political solution, in the eyes of the left, could only be a conciliatory move towards the military and rob them of the justice they so desired.

Immediately upon Pinochet's indictment the military made known its desire for a COSENA meeting, conscious of the Supreme Court President's seat on the council. Lagos soon decided to call a meeting himself before the military forced it on him. Lagos and his right-hand man, Vice-President/Interior Minister José Miguel Insulza, defended the decision to call a meeting as a rational one. Denying any military coercion, Insulza affirmed that "nobody is pressuring anybody, nobody is confronting anybody, nobody is fighting with anybody," explaining that the commanders in chief merely considered the COSENA an effective means of

[26]Much more than a student government association, the staunchly liberal FECH is a powerful political bloc closely aligned with the Socialist and Communist parties. The Universidad de Chile, the nation's largest and oldest, holds a prestige matched only by the Universidad Católica. But while Católica tends to Chile's wealthier and more conservative set, the Universidad de Chile is known as a hotbed of radical liberalism, replete with Ché Guevara murals on campus.

[27]"Amnistía Internacional llama a Lagos a no interferir en caso Pinochet." La Tercera Digital, 7 December, 2000. http://www.tercera.cl. Author translation.

[28]Based on various media reporting at the time. See, for example, "El Cosena se reunirá la próxima semana," *La Tercera Digital,* 26 December, 2000.

liaison.[29] Lagos declared that the meeting would not address the Pinochet case nor any other legal process, despite the tension over Pinochet' arrest that led to the military's request for a meeting. Consequently, Lagos stated that the meeting itself would not take place until after hearings concluded on Guzmán's initial arrest order for Pinochet. The government further denied that it would address the work of the *Mesa de Diálogo* or an extension of the January 6th deadline agreed upon in June of 2000. Lagos therefore set the parameters of the meeting around "the task not achieved during the democratic transition process of national unity."[30] Lagos also saw agreement on the COSENA meeting as a way to support army commander in chief Izurieta. Izurieta had shown himself to be capable of compromise with the Lagos administration by agreeing to participation in the *Mesa de Diálogo* at the risk of losing support from within his ranks. Given this cooperation, "it was key for the government to convene the COSENA and, in this way, to strengthen Izurieta's position with respect to his institution."[31] We will examine Izurieta's central and progressive role in depth in the following chapter.

The COSENA meeting finally took place on a sweltering Santiago afternoon January 2nd. Human rights and labor groups, led by the Communist party leadership held a protest on the *Plaza de la Constitución* in front of *La Moneda*, booing as ministers and generals arrived. All of the eight men, figures central to civil-military relations, were present: President Lagos, Supreme Court President Hernán Álvarez, Senate President Andrés Zaldívar, Comptroller General Arturo Aylwin, as well as the four commanders in chief: Ricardo Izurieta (army), Jorge Arancibia (navy), Patricio Ríos (air force) and Manuel Ugarte (Carabineros). Izurieta and Arancibia took the lead for the armed forces and *Carabineros* addressing their concerns about the government's handling of human rights issues. The commanders in chief essentially argued that Lagos was neglecting the issues by leaving them exclusively to the judicial branch. Further, they maintained

[29]Quoted in "Lagos convocó al Cosena por Caso Pinochet," *La Tercera Digital*, 6 December, 2000. Author translation.

[30]"Unidad Será Tema Clave del Cosena," *El Mercurio*, 2 January, 2001, A1. Author translation.

[31]"Lagos apuesta for salida al tema de DDHH," *La Tercera Digital,* 7 December 2000. Author translation.

that the human rights issue was fundamentally a political one and that the executive was surrendering it to the judiciary rather than actually seeking a solution. Specifically, the military requested that the "original interpretation" of the 1978 Amnesty Law be upheld, which would grant amnesty unconditionally without any investigation as a move towards societal peace and unity. Izurieta implied that the government owed the Armed Forces some concessions in return for its cooperative attitude with respect to the *Mesa de Diálogo* and the Pinochet case. Álvarez, as titular head of the judicial system, stated that judges could only focus on carrying out justice and not become preoccupied with the political consequences of their rulings. Álvarez further underscored the independence of the judicial system and its capacity to interpret the standing body of law as it deemed just. President Lagos, for his part, emphasized the points made by Álvarez and Zaldívar, who pointed to the inappropriateness of any congressional interference. Lagos also asked for patience from all parties while the government received and handled the *Mesa de Diálogo* report. The three hour meeting finished with the production of a joint resolution that took a highly moderate and composed, if ambiguous, tone.

This resolution affirmed that "in the course of a highly frank and constructive debate, the COSENA's members expressed their different points of view," with the goal of "exchanging ideas about the different propositions for strengthening national reconciliation and unity."[32] The meeting participants echoed this sentiment to the press, while restating the arguments they had made in the meeting. Gladys Marín and the Communist Party, however, denounced the COSENA meeting as a "setback to democracy for the country," because "President Lagos and the *Concertación* ceded to the wishes of the military, the political right and business interests."[33]

The Mesa de Diálogo Report

The same arguments would amplify only three days later when the military, together with

[32]Reprint of COSENA press release, *El Mercurio* 3 January, 2001, A10. Author translation.
[33]Quoted in *La Hora* (Santiago), 4 January 2001. Author translation.

religious groups, turned in the *Mesa de Diálogo* report to President Lagos. The armed forces and *Carabineros* turned in information on the fate of 200 of the disappeared. The report stated the exact location of 45 victims' remains, although 20 of them were unidentified. The bodies of the other 155 were reported to have been thrown into the sea or lakes and rivers, generally from helicopters. Human rights groups and the political left immediately criticized the report as a half-hearted and deceitful move by the military to placate the government. Critics argued that the military was resisting in giving closure to only 200 of the cases of disappearance, and further pointed to their own investigations that contradicted the military's information.[34] Several of the most high profile disappearances were addressed in the military report. The military reported that Gladys Marín's husband's body had been thrown into the sea, while other information indicates that he and other high functionaries of the Communist Party were buried or cremated in Santiago.

Always trying to maintain a delicate balance, President Lagos gave another impassioned speech to the nation, addressing the difficult healing of past horrors and the need for more information. But Lagos also gave clear praise to the armed forces for their participation and cooperation. More important than the number of cases that the military resolved, Lagos pointed out, was the symbolic gesture of recognition of past crimes by the military. While the Rettig Commission report to Aylwin had identified a clear number of victims, the *Mesa de Diálogo* report made an implicit admission of guilt. The military generally denied the conclusions of the Rettig report, but in the *Mesa* report, the armed forces, through their own investigations, admitted to specific cases of abuses of power and human rights violations. A *La Tercera* editorial entitled "A great achievement for truth and reconciliation" echoed the president's sentiment, further acknowledging the cooperation of the armed forces, particularly the army, at a particularly difficult and uncertain time for the institution.[35]

[34]See *La Tercera* 10 January, 2001, 4 and *La Hora* 9 January 2001, 4.

[35]"Un gran hito para la verdad y la reconciliación" *La Tercera*, 7 January, 2001: 12. Author translation.

The report clearly showed the desire of today's armed forces to separate itself from the legacy of the military regime and a willingness to participate in national reconciliation. The officer corps maintains a pride in its past and a belief in the nobility of the military regime's mission. Even if the armed forces are willing to identify some of the specific excesses of power under its government, the institution's self-esteem and traditionalism will not permit it to make any formal apology. Nevertheless, the military's behavior towards the government and the reconciliation and democratization processes show a clear desire to move on. Such a conciliatory attitude towards the past would have been impossible with Pinochet in command of the army or in the Senate. With Pinochet's arrest and ensuing prosecution, Pinochet and his hard-line supporters lost their political capital.[36] Moderates, both left and right, now constituted the major players in civil-military relations and the political arena in general.

After the first months of 2001, Chilean civil-military relations lie very close to "full democratic control" on our spectrum from Chapter One. The military's prerogatives outside of civilian control are few and seldom used. Through the military's reaction to the Pinochet case, the *Mesa de Diálogo* report and the January COSENA meeting, the armed forces have clearly demonstrated their acceptance of civilian control and their effort to maintain their morale and institutional strength while separating the institution from a checkered past. This effort appears even more visibly in examining the Chilean military itself and the internal reforms it is carrying out. Not receiving much attention, the military has begun to change to a different institution than the one that ruled the country for seventeen years. Behind the scenes of the Pinochet case and high-profile meetings, the Chilean military is evolving, partly through the passage of time and partly through intentional internal initiatives. In the public arena of political elites we can locate Chilean civil-military relations on the verge of full democratic control and reconciliation with

[36]See "Los efectos de 503 días en Londres," *La Tercera* 7 January, 2001: 10.

Chilean society. Within the Chilean military itself we find clues to its willingness to continue progress in this direction.

Chapter Five:

The New Chilean Military: Continuidad y Cambio

> "Today I want to show my appreciation for the strength and courage our military institutions, particularly the army, have shown in this phase we are passing through."
> -President Ricardo Lagos, January 7th, 2001[1]

Over the last three years the Chilean military has demonstrated a willingness to negotiate peaceably with the civilian government and an ability to move beyond the past. The postauthoritarian civilian governments deserve much credit for this progress towards full democratic control of the armed forces. But since Pinochet's retirement and arrest the military has met the civilian government halfway and must be credited with not resisting civilian control. Looking exclusively to the military institution, we find more evidence of the military's departure from the past dynamic of antagonistic civil-military relations and insubordination. Although a slow process, the military's internal institutional reforms, particularly in the army, identify the military as a willing accomplice in a peaceful and subordinate cooperation with the government.

The Chilean armed forces at the beginning of the 21st century are in flux. Considering the past traditionalism and bureaucratic conservatism of the military, the changes recently achieved and the reform process in progress are remarkable. This variegate process has many different facets that must be examined, but leadership and personality serve as an efficacious point of departure. The commanders in chief of the military and *Carabineros* wield immense power over their respective institutions, and also possess notable political clout in general, not least through their seats on the COSENA. The commanders in chief provide internal regulation

[1]Television address, quoted in *La Tercera*, 8 January 2001, 3.

of their military institutions through a rigid chain of command, but are also the primary actors in civil-military relations. Yet until recently, the only actor or personality that mattered on the military side was General Augusto Pinochet. When Pinochet stepped down as commander in chief in 1998, he had held the post for 25 years. Even without considering that the current constitutional provision is for a four year non-renewable term, this longevity is remarkable. For the Chilean armed forces, this expansive term implied a quarter century with "one single conception of ideology and leadership."[2] Pinochet's retirement brought the opportunity, depending on the institutional strength of the military and the professionalism of the officer corps, to depart from that legacy.

Under Pinochet, the commanders in chief of the navy, air force and *Carabineros* held greatly diminished importance.[3] The branch chiefs now have an expanded and more individual voice, although the commanders in chief function very much as a unified team. Yet even though Pinochet no longer holds a military post, the army heavily dominates the armed forces. This comes in part from Pinochet's 25 year reign at the helm of the military, but also due to the army 's greater size. Chile's long coastline makes the navy an important military branch, but the enormous distances within the country and extensive borders with tenuously friendly neighbors have led to the predominance of land forces. The air force has never had the technical capabilities to command much respect or voice. The *Carabineros* have more manpower than the air force or navy, but have never approached the political power of the army . The Constitution groups the *Carabineros* chief with the other commanders, and the *Carabineros* are a national, paramilitary force. Yet their status is politically somewhat marginal as far as the other three, truly military, branches are concerned.

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[2]Interview with Prof. Roberto Durán Sepulveda, Department of Political Science, *Pontificia Universidad Católica*. Santiago, 9 January 2001.

[3]One exception would be the actions of General Fernando Matthei and Admiral José Merino, then commanders in chief of the air force and navy, who, following the 1988 plebiscite, conceded defeat before Pinochet. This early concession forced Pinochet to accept results he might have otherwise invalidated. See "That Was Nice, Now the Hard Bit." *The Economist* 15 October 1988, 50.

Eje de Cambio: General Ricardo Izurieta

Although to a lesser extent than in the Pinochet years, the army continues as the predominant military branch. The army commander in chief is not only the most important figure in the Chilean military, but in terms of civil-military relations rates as important as the Minister of Defense and the President. This March, Lieutenant General Ricardo Izurieta completed his third of four years in the post. The job would be difficult enough based on the inherent complexities of such authority and having to succeed to a post held by a man like Pinochet for 25 years. The surrounding complexities of a deeply divided society, the military's historical legacy and the Pinochet case only serve to make the position far more difficult. But beyond representing a change in leadership and shepherding the military institution through difficult times, Izurieta has also overseen a period of serious military reforms and modernization.

Even without considering the context and initiatives of his term, Izurieta himself represents a departure from Pinochet. Nearly thirty years Pinochet's junior, Izurieta was only a cavalry captain at the time of the 1973 coup. While Pinochet's supporters refer to the aged general as *tata* or "grandfather," Izurieta has teenage children. Instead of a gradual passing of the leadership torch through the generations, the transition from Pinochet to Izurieta brought a thirty year jump. This generational shift in the high command embodies the generational change that has already swept most of the institution-- Pinochet's clinging to command made him the last of the old guard to leave.

Izurieta's personal and military background also differ from that of Pinochet. Pinochet came from a middle class family and rose through military ranks in the infantry. Some imply that Pinochet's infantry background caused him to favor this branch of the army to the exclusion of other important parts of the armed forces. Izurieta, on the other hand, came from a wealthy family with an army, specifically cavalry, tradition-- one of Chile's famous *familias militares*.

Izurieta continued the family cavalry tradition, imbuing him with a different military outlook than Pinochet. As in any military, the different *armas* or services within the army enjoy a healthy rivalry that leads to distinguishing characteristics. While engineers and artillerymen have their own, more technical natures, a sharp contrast appears between the ideal of the cavalry officer and the infantry officer.

Wrapped up heavily in conceptions of chivalry, honor and tradition, the Chilean cavalry even retains the horse as a visible presence unobscured by the development of modern mechanized cavalry.[4] The infantry, on the other hand, believes in a tough fearlessness maintained by rigid discipline. The infantry officer "believes himself to be the purest soldier, proud to belong to the main branch, the only one that can fight successfully without the help of others."[5] After spending his years as a junior officer in the cavalry, Izurieta served as a military professor, eventually becoming director of the *Academia de Guerra* and then of all military education. Izurieta also served as military attaché in Israel and the United States before being named chief of the general staff and the commander in chief.

Izurieta's class and cavalry background grant him a certain independence from the Pinochet legacy.[6] Izurieta does not have to imitate Pinochet's ideals to prove his place in society and the military. Where Pinochet took a trench warfare attitude of civil-military relations, Izurieta has demonstrated a capacity for artful and delicate maneuvering that keeps up appearances without abandoning basic military ideals.

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[4]Izurieta, like many cavalry officers, practiced equestrian sports, even competing as a member of the national team in his younger days.

[5]Tótoro Taulis, 166-167. Author translation. Tótoro does not make clear if he is referencing or actually quoting Barros Ortiz, *Vigilia de Armas*, op. cit. In an interesting contrast, the infantry page on the Chilean army web site traces the history of the infantry to cavemen while the cavalry school page cites world records for horse jumping held by its officers and contains oaths for the cavalry officer to recite to his horse. http://www.ejercito.cl/estructura/infanteria.htm and http://www.ejercito.cl/carreras/carrera6.htm.

[6]Roberto Durán interview, 9 January 2001.

This does not imply, however, that Izurieta shows no solidarity with Pinochet. It would be dangerous to ascribe too much importance to stereotypes and rivalries within and between different branches of military service. General Izurieta has maintained a highly delicate balance between showing support for Pinochet as a predecessor and military hero, and maintaining the ideal of the apolitical and professional officer. Izurieta welcomed Pinochet at the airport upon his return from London, and visited him in his home soon after.[7]

Izurieta has continued to make official and unofficial visits to Pinochet's home to show his support. In March and May, Izurieta, together with the other commanders in chief, visited Pinochet to show official support in the face of the impeachment proceedings. However, a similar visit planned in August was canceled when the Lagos administration pressured Izurieta not to make political statements on pending judicial proceedings. Izurieta next made an unofficial, but very visible visit to Pinochet's estate at Christmas. Following the *Mesa de Diálogo* report, Izurieta visited Pinochet to show support in the midst of the medical exam controversy and then again in the hospital. In addition to these symbolic visits, Izurieta has made a series of careful public declarations throughout the development of the Pinochet case. In these statements, Izurieta has sought to present the preoccupation of the armed forces over the handling of the Pinochet case. But rather than making any direct antagonistic criticism of the government, Izurieta has emphasized Pinochet's poor health and asked that he be respected as a former president.

Izurieta has a duty, as commander in chief, to represent the sentiment of his institution, most visibly with respect to the Pinochet case. But beyond these constituent concerns, Izurieta has policy priorities for modernizing and moving the army beyond the politics of the past. Supporting Pinochet and realizing his vision of the army 's future can conflict because of civil-

[7]In fact, Izurieta helped Pinochet rise from his wheelchair, received the first embrace and supported Pinochet as he walked along the runway greeting the rest of the military delegation and his supporters.

military tensions. Too strident or vocal support for Pinochet might be interpreted by the government as military meddling in democratic process and upset relations with the Lagos administration. But at the same time, Izurieta cannot abandon Pinochet, who embodies so much of the military's institutional pride. The collective pride and identification of the officer corps with Pinochet demands a certain level of support from the high command. The tension between these priorities is embodied in the slogan that Izurieta has given to his administration: *continuidad y cambio* or "continuity and change." Izurieta has maintained a delicate balance between these conflicting demands, and reaction to his administration so far indicates success through moderation.

Izurieta has stood up for the military's interests and clashed with the government on occasion. Interestingly however, Izurieta has received the government's praise and drawn the ire of *pinochetistas* from the hard-line right. Izurieta earned Lagos' good will in negotiating the *Mesa de Diálogo* agreement in June of 2000. Following the *Mesa* report, Izurieta condemned the brutality of throwing bodies into the sea. The Lagos administration reiterated Izurieta's statement and praised him for making it. Although Izurieta expressed military support for Pinochet in that same statement, he added the qualifier that "the army is more important than individuals."[8] This attitude has endeared him to the Lagos administration and given Izurieta a very favorable public perception. Asked to rate the behavior of certain public figures in handling Pinochet's detention, 58% of those surveyed held a "positive" or "very positive" opinion of Izurieta-- a higher rating than President Frei and all of 1999's presidential candidates.[9] Not only does Izurieta's position grant him serious influence over civil-military relations, but he enjoys a mandate and appeal across civil-military lines. Izurieta's opponents find themselves in a marginal minority.

[8]Quoted in *El Mercurio* (Online), 22 January, 2001. "Presidente Lagos destacó palabras del general Izurieta." Electronic version at http://www.emol.com.

[9]CEP, *Estudio Nacional* (April-May 1999), 9 and 210.

Izurieta's demonstrations of support for Pinochet and the military's role in politics have met with the condemnation of human rights groups and the Communist Party. But not all of Izurieta's detractors come from the anti-military left as one might expect. Hard line pro-Pinochet groups have recently lodged severe criticism of the army commander in chief. The *Movimiento Vitalicio Augusto Pinochet* (MVAP) has brought the most vocal protests against Izurieta as the Pinochet case has developed. In February of this year, the MVAP protested outside the central military headquarters in Santiago, throwing corn and claiming the armed forces "have abandoned General Pinochet" by not exercising influence in the ex-general's defense.[10] Later that month, the MVAP protested the headquarters again and delivered a letter to Izurieta, criticizing his lack of loyalty and failure to "give his heartfelt support to General Pinochet."[11] That he is willing and able to lead effectively, while enduring hard-liner opposition, bodes well for relations with the moderate left government. While Izurieta and Lagos certainly have their differences, the state of civil-military relations shows a marked improvement over Pinochet's last eight years as commander in chief. Even in the face of Pinochet's arrests and prosecution, the Izurieta administration has not carried out anything comparable to the *boinazo* or Pinochet's military alerts.[12] Rather, Izurieta has found substantial room for negotiation and compromise with the government. In large part, Pinochet's detention in London fundamentally changed the rules and the playing field for civil-military relations. However, Izurieta's placement in command made a player substitution of undeniable importance.

As one Chilean political scientist put it, Izurieta and his four-year term represent the *eje*

[10]"Pinochetistas lanzan maíz frente a edificio de las FF.AA." *El Mercruio* (Online), 5 February, 2001.

[11]Quoted in *La Tercera Digital,* 21 February 2001. "Pinochetistas acusan a general Izurieta de falta de lealtad." Electronic version at http://www.tercera.cl.

[12]At one point, the commanders in chief met, out of uniform, at a Santiago restaurant to make a public show of support for Pinochet. Some termed the incident the *servilletazo*, from the Spanish *servilleta,* meaning “napkin.” Certain Chilean officers have also fallen afoul of the Lagos government for making public appearances at Pinochet Foundation events. However, these incidents are comparatively minor to Pinochet's shows of force-- a napkin is much more civilized than a beret and a *servilletazo* is no *boinazo*.

de cambio or "axis of change."[13] Beyond encompassing the continual crisis of the Pinochet case and such human rights issues as the *Mesa de Diálogo*, the Izurieta years have overseen various changes, some subtle and some dramatic, that carry broad implications for the future of the Chilean military's relations with the democratic government and the society at large. Under Izurieta, the strength and endurance of the military institution, independent of Pinochet and his legacy, have become apparent.

Modernization: National Security, "Toys 'R Us" and the F-16

The modernization of Chile's armaments does not seem to bear as directly on civil-military relations in a renewed democracy as the high profile issues of the Pinochet case, human rights and the 1980 Constitution. Nevertheless, issues of procurement and modernization are the bread and butter of civil-military relations in industrialized democracies and cannot be dismissed. In the Chilean case, procurement and defense policy bear directly on the issues of military prerogatives and civilian policy control. The crux of the modernization issue arises, as in any country, out of national security and technological concerns. The national security paradigm that reigns in Chile differs greatly from North American or European concepts. Although a strong and wealthy nation with stable borders, Chile's neighbors are larger and militarily stronger. Chilean officers speak confidently about the superior training and spirit of the Chilean armed forces, but know that the Peruvian and Argentinean militaries are larger and in many cases better equipped. Secondly, the peace between Chile and its neighbors is not imbued with the same sense of permanence as in other regions like North America. U.S. soldiers do not train to defend the Mexican and Canadian borders, but Chilean military exercises prepare for the mission of territorial defense. While Bolivia remains politically unstable and may have the greatest cause to quarrel with Chile, it lacks the capability to mount a military threat to Chile. Argentina and Chile were on the brink of war when both were under military rule, but the stabilized democracy in

[13]Roberto Durán interview, 9 January 2001.

both countries and the resolution of border disputes has minimized the possibility of a conflict across this immense border. The Chilean military directs its greatest concern, then, towards Peru. Some fear that political instability in Peru might allow a military adventure, seeking public support through a nationalistic show of force. As with Bolivia, Peru still harbors resentment over the territory conquered by Chile in the War of the Pacific and the retaking of this region could serve as a rallying cry.

A brief return to Huntington reminds us of the military duty to assess all possible threats to the state and a belief in erring on the side of caution in defending the state. To sum up this military perspective, Huntington quotes Lord Salisbury's declaration that "If you believe the doctors, nothing is wholesome: if you believe the theologians, nothing is innocent: if you believe the soldiers, nothing is safe."[14] The job of military men is not a political or diplomatic one, but one of calculating analysis: "In estimating the security threats the military man looks at the capabilities of other states rather than at their intentions."[15] This describes precisely the Chilean military attitude, especially with regard to Peru.

The Peruvian threat has driven the technical requirements of Chile's military modernization. In contrast to the specialized mountain warfare units posted along the Andes, the open desert border with Peru favors a large and mobile armored force with versatile air support. Peru's large force of Soviet built T-55 tanks led Chile to its recently completed acquisition of 200 German-made Leopard 1 tanks from the Netherlands.[16] Peru possesses an advantage in artillery, but the Chilean armored force, with 50 French AMX-30 tanks in addition to the Leopards and a large mechanized infantry component, presents an effective defense against the Peruvian ground

[14]Huntington, *The Soldier and the State,* 66.

[15]*Ibid*.

[16]These two tanks are roughly comparable, produced and exported heavily through the 1960s and 1970s by Germany and the Soviet Union. Similar in size and weight, the Leopard is somewhat faster, while the T-55 has a longer operational range. See entries for Leopard 1 and T-55 on the Federation of American Scientists' Military Analysis Network at http://www.fas.org/man/dod-101/sys/land/row/index.html.

threat. The Chilean military's greatest current concern, however, stems from the perceived imbalance in air power with Peru. The Peruvian Air Force operates a squadron of 21 highly advanced MiG-29 fighters with long range AA-10 and AA-12 missiles, in addition to another 20 French Mirage 5 and Mirage 2000 fighters.[17] While Chile also flies the aging Mirage 5 and some American F-5s, these offer little defense against the MiG-29.

The Chilean air force therefore launched its Fighter 2000 program to select a new air superiority fighter. Last year, Lockheed Martin's F-16 was named the winner over the Mirage 2000 and the Swiss Grippen. Chile entered into negotiations to purchase 12 F-16s at a cost of $600 million, although maintenance and operational costs could double that figure in only a few years. The purchase, paid over ten years, would take some 90% of the procurement funds that the military receives through the *Ley del Cobre*. However, this expensive deal fell into uncertainty in January, when the United States declared that it would only sell the F-16 without its advanced avionics or the AMRAAM missile for fear of upsetting the balance of power in the region.[18] Incensed Chilean authorities felt betrayed by the American government that planned to sell them a slingshot with no elastic.

The sale remains uncertain, but President Lagos affirmed in February that Chile would not purchase the F-16 with the technological restrictions laid out.[19] While the Bush transition team supported Clinton's authorization of the sale, it remains to be seen what position the new

[17]All military data above comes from *The Military Balance 2000-2001,* (London: Oxford University Press for the International Institute for Strategic Studies, 2001). The data on Peru may be outdated. Other sources, including *El Mercurio,* indicate that Peru has augmented its armored force with at least 100 T-72 tanks, markedly superior to both the T-55 and the Leopard 1.

[18]The Clinton administration, through Ambassador John O'Leary, invoked the Carter era ban on the introduction of advanced weapons systems to Latin America. In Clinton's final days in office he authorized the sale of the F-16, but did not settle the matter of restrictions. Avionics are the weakness of the highly maneuverable MiG-29, while American built fighters are more electronically advanced. The AMRAAM (Advanced Medium Range Air to Air Missile) is the most advanced of its type in the U.S. inventory. Although many alternatives exist to the AMRAAM, the F-16 could not use them without the advanced electronics in question. The Russian AA-12, in Peru's arsenal, is known unofficially as the AMRAAMski, although it has a longer range than its American counterpart.

[19]Lagos used a creative analogy in affirming the government's position: "If I like a Barbie that just came out, that has a cowboy hat and all the trappings of a Chilean cowgirl, [and] then someone tells me that they are going to sell another one that doesn't have the Chilean cowboy hat, then I am just going to have to buy some other doll." Quoted in *El Mercurio Online*, 17 February 2001, "Chile no Comprará F-16 Si Persisten Restricciones." Author translation.

administration will take with respect to the restrictions as negotiations continue. With the near-final deal and ensuing controversy, some in Chile and the U.S. have offered strong criticism of the F-16 sale. Many feel that the expensive deal and Lagos' support of it exemplify the government caving into pressure by a military unsubordinated to civilian authority. The Chilean left adds that the government has no business spending $600 million on fighter planes with such high rates of poverty and unemployment plaguing the country. American critics argue that Chile "faces no threat from the air" and that the sale will "touch off a wasteful arms race in Latin America."[20] Some analysts have implied that the F-16 deal is tied to the simultaneous trade negotiations between Chile and the U.S. as part of the proposed Free Trade Area of the Americas.[21]

Not just the centerpiece of the Chilean military modernization project, the F-16 debate contains interesting civil-military relations implications. The Lagos administration and the military have shown remarkable unity in standing fast to their goals. Some suspect that behind this public front lies military coercion or a blatant attempt by Lagos at "Toys 'R Us" placation of the generals.[22] The military chose the F-16 on its own, and its automatic funding through the *Ley del Cobre* will fund it, even if there may be less expensive alternatives.[23] As the law stands today, Lagos does not have the authority to redistribute these funds to other, possibly more worthy, causes. But regardless of this level of military autonomy in the process, Lagos approved negotiations on the deal and spoke out against restrictions. Lagos may be hoping that the deal unravels on its own, but he seems to support it given his options. If Lagos wanted to win the military's favor through funding, he might be better served through raising salaries and increasing military health and housing benefits. These issues are more pressing to the entire Chilean officer corps than any possible Peruvian threat and would not favor one branch over another.

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[20]"A Poor Sale," *The Washington Post*, 9 February 2001. Pg. A28.

[21]See "Ligan F-16 a Acuerdo Económico con EE.UU." *El Mercurio*, 3 Janurary 2001.

[22]See Chapter One for Cruz and Diamint's discussion of the "Toys 'R Us school".

[23]Emilio Meneses, "El Inicio de una Crisis Anunciada Renovación Aérea." *El Mercurio*(Online), 11 March 2001. Meneses argues convincingly that the F-16 is not only the wrong choice, but that the effort to acquire it has been faulty since its inception.

The F-16 case certainly exposes the problems that automatic funding arrangements entail for democratic defense policy, since the military does not have to compete with other government spending. However, the military's modernization program may encourage even more sweeping changes to civil-military relations than simply moving beyond the past. As the military budgets for its modernization, it becomes apparent how the military's artificial minimum for defense spending has been converted into a maximum by the *Concertación* governments.[24] Whereas it formerly would have been unthinkable for the military to voluntary relinquish its budgetary prerogatives, its modernization drive has produced a willingness to change "the automatic funding mechanism in place to this point."[25] As yet, the government and military have not come into conflict over this democratic aberration. Instead, the Chilean government and armed forces seem to be peacefully going about the business of making defense policy. The continued cooperation between Lagos and the military on modernization, as seen in the F-16 case, would indicate that artificial military prerogatives in defense policy do not necessarily pose a challenge to Chilean democracy.

Educational Reform

In addition to the high-profile and tangible modernization initiatives in progress within the Chilean military, reforms to the institution of a subtler but more significant nature have only recently begun. The first of these, a fundamental change in the system of military education, began only last year. While not as visible as programs like the F-16, modernization of the educational system will bring a more profound and enduring reform of the military as an institution. Again, the army demands the most attention on this issue, as the strongly predominant branch of the armed forces. The army 's *Escuela Militar*, a large compound in Santiago, has been the formative institution for the Chilean military since its founding in 1817. Whereas there are various paths to becoming an officer in the U.S. military, every officer in the

[24]See Chapter Three.
[25]Atria, 44.

Chilean army has graduated from the *Escuela Militar*.[26] Military educational systems enshrine and perpetuate the tradition and doctrine of the military in the continual crafting of an officer corps, and education has been a cornerstone of the Chilean military since the Prussian mission. As Huntington and others have pointed out, education represents the essential feature of modern militaries based on the Prussian ideal.[27] The ability of a military education system proves highly potent in a case as centralized and unitary as the Chilean *Escuela Militar*.

Up until this year, the curriculum at the *Escuela Militar* has essentially corresponded to the second half of high school and two years of higher education. Cadets take a heavily military course of study and enter directly into the army after four years. This system will continue until the graduation of the 2003 officer class. Sweeping curriculum reforms begin a transition process with the 2001 admission, and will be completed with the class of 2004. Most basically, this transition will convert the *Escuela* education to a more university-like system. Firstly, rather than enrolling cadets halfway through their secondary education, the new admissions process requires the completion of the PAA test, the Chilean SAT, enrolling older, more educated and more mature students. Likewise, the new system establishes a four-year accredited university education for cadets. Starting in 2004, Escuela graduates will earn a degree recognized by Chilean and foreign universities. This accreditation became possible through an alliance with the Universidad Diego Portales, a private Santiago university. According to the military formula, 37% of the officer education program will take place in the *Universidad Diego Portale*s, while the remaining 63% of instruction will remain in the traditional *Escuela Militar*.[28] Courses in the university allow a broader education, adding anthropology, economics and political science to the technical and military courses of the old curriculum. Perhaps more important would be the

[26]There a few minor exceptions, such as the commissioning of doctors and dentists. Nevertheless, all combat and command officers are *Escuela* products.

[27]See Chapter One.

[28]*Escuela Militar: Admisión 2001* (Santiago: Ejército de Chile, 2000), 10. See also, "Novedosa Oferta Educativa," *Alborada: Revista de la Familia Militar*, December 2000: 4-8.

exchange between cadets and regular students in the university, although it remains unclear how much interaction and exchange will actually take place.

To promote the revamped *Escuela Militar*, the army has borrowed a page from recent recruiting campaigns by the U.S. military to appeal to young people. With the slogan "We invite you to a young *Escuela Militar*," the campaign portrays military service as glamorous, high-tech and full of adrenaline. Like any advertisement, this effort by the Chilean military sends a certain message to craft a specific image. Despite this superficiality, this marketing campaign provides a public face to the army 's effort to modernize and its subtle movement away from the past and stubborn traditionalism.

While not as important as the *Escuela Militar*, the army 's *Escuela de Suboficiales* bears mentioning. The Chilean military stands as one of the few in the world with an academy for non-commissioned officers or *suboficiales*. This institution also bears the marks of a modernization to create a more professional army. On one hand this implies English classes and technological education where all *suboficiales* receive computer and internet training.[29] But in another sense, this modernization is directed at a more careful and open development of the solider. The new, more open structure has an academic emphasis where, beyond physical fitness and military training, the soldiers receive instruction in the humanities, including a literature class where "Romeo and Juliet" appears on the syllabus.[30] While these changes may seem superficial, the effort of the army to more carefully mold the noncommissioned officers as well as *Escuela Militar* graduates speaks to a desire for total institutional reform.

[29]Interview with Rodrigo Medina, Information Technology Department, *Escuela de Suboficiales*, Maipu, Chile, 5 January 2001.

[30]Interview with Captain Alberto Rivera Valencia, Assistant Academic Director, *Escuela de Suboficiales,* Maipu, Chile, 5 Janurary 2001. See also *Tu Futuro Comienza Hoy*, Escuela de Suboficiales 2001 admissions guide, especially pages 5 and 13.

The implications of these reforms are various. The army high command believes they will craft a more capable officer corps, equipped to confront the changing nature of military science. This is almost certainly true, but such reforms may also serve to improve relations between the military and the society at large. Although army commanders insist that doctrine will not change, making the education system more academic and fostering exchange opens the military institution to the civilian world. The new philosophy and human rights courses on the *Escuela Militar* curriculum will surely not be as progressive as many would like, but they can still serve to counterbalance some of the more strident military dogma. That is, the new education system will turn out a highly capable and professional, but perhaps less militant, military.

Servicio Militar Obligatorio

While the officer corps embodies the corporate and enduring identity of any military, the enlisted men comprise the vast majority of all armed forces. The best officers in the world can do nothing without soldiers to lead. Recruiting sufficient enlisted men to fill out the armed forces therefore comprises a fundamental issue of national security. While some nations like the United States are capable of recruiting and maintaining a professional volunteer military force, many militaries around the world prove unable or unwilling to construct such a force. In these situations, militaries rely on conscription to ensure sufficient manpower for national defense. To fill their enlisted ranks, the Chilean armed forces use a system of *Servicio Militar Obligatorio* (obligatory military service).

Again, the Chilean national security context figures fundamentally in the debate over *Servicio Militar Obligatorio* (SMO). Chiefly concerned by a conflict with Peru in the northern desert, the Chilean military believes in the need for a large land force geared to territorial defense. The lack of natural or geographic defenses in the north and the low level of military

technology or "force multipliers," demands a manpower-intensive defense strategy of permanent deployment.[31] Once again, we see clearly the importance and predominance of the army within the Chilean military. Of the 30,000 troops who annually enter into SMO, 27,000 serve in the army , while the navy takes only 2,000 conscripts and 1,000 serve in the air force.[32] In the navy and air force, where the SMO term is somewhat longer than the one-year army tour, conscripts comprise only about 10% of the total force. In keeping with the territorial defense strategy, the majority of conscripts complete their service within the army's 25 infantry regiments. As national defense depends on the army, the army depends on these conscripts, who comprise fully half of the 50,000 man force. Attracting this many recruits to volunteer would demand higher salaries and greater benefits than the military thinks it can afford.[33]

The Chilean military therefore argues that SMO fulfills an absolute need for national security, and has an absolute historical and constitutional mandate. SMO has existed continuously in various forms in Chile since 1900, renewed most recently through a 1978 law decreed by the military government. Over the last one hundred years, the Chilean military has had sufficient force to deter attacks on its borders. The argument can be made that SMO has provided a necessary deterrent, but beyond this basic national security concern, Chilean officers and official publications argue that the SMO system fulfills a valuable liaison role between the armed forces and the society at large. Those who perform their military service receive education and training, as well as steady pay and benefits. Chilean officers credit SMO with greatly increasing the literacy rate in Chile over the last thirty years. The official military line also adds that recruits receive certain values, from the practice of personal fitness to self-confidence and

[31]"Force multipliers" refers to advanced technology that replaces the need for large amounts of combat troops and makes conventional weapons more effective. The U.S. military is the prime example with its use of air strikes and cruise missiles to avoid casualties.

[32]Emilio Meneses, Patricio Valdivieso and Carlos Martin, "El Servicio Militar Obligatorio en Chile: Fundamentos y Motivos de una Controversia." Documento de Trabajo No. 300 (Santiago: Centro de Estudios Públicos, December, 1999): 24.

[33]*Ibid*., 29. Meneses *et. al.* argue that while this economic argument is valid from the military's perspective, there are other, societal costs that make SMO more expensive in the long run.

patriotism. According to the military, the SMO system fills the ranks for national defense while creating better citizens.[34]

However, a large sector of the Chilean population holds a far different impression of SMO. Since the democratic transition, SMO's opponents, led by the anti-military left and the urban youth who are most directly affected by the system, have fought for the abolition of obligatory service. Many hold pacifistic ideological objections to the implicit violence of the military and the very idea of armed forces. A year or more of military service holds little appeal for most young Chileans who want to pursue other ambitions. The Chilean SMO system makes no allowance for conscientious objectors or religious excuses. One Chilean army publication makes the argument that allowing for an objection of conscience would create a dangerous loophole making it difficult or impossible to mount a sufficient defense in the event of a crisis.[35] Understandably, many Chileans simply want nothing to do with an institution responsible for brutal persecution of it own countrymen in the recent past. This general societal attitude has been worsened by repeated recent cases of recruits suffering gross mistreatment and death during their service. In many ways, this fear outweighs all other personal or ideological objections to the system.

However, the selective conscription of SMO also creates a social justice problem. The armed forces cannot fill their ranks with volunteers, but at the same time do not require the services of absolutely every able-bodied Chilean. Indeed, some 120,000 citizens become eligible each year, out of which only 30,000 become conscripts. That the military applies a "selective obligatory model," begs the question of who is and is not drafted. SMO already contains a socio-

[34]These arguments derive from Santiago interviews with General (r) Agustín Toro, 4 January, 2001, Teniente Max Pavez, 6 January, 2001, and Subteniente Gonzalo Lopez, 2 January 2001. See also *Armas y Servicios* No. 73 (October 1999): 11, and General Hernan Reyes Santelices, "El Servicio Militar Obligatorio: Una Necesidad Ineludible de la Patria." *Memorial del Ejército de Chile* No. 458 (1998): 157-161.

[35]*Armas y Servicios* No. 73 (October 1999): 30,32.

economic component in that the poor tend to be liberal and strongly anti-military, while the military's supporters are mainly wealthy and conservative. While these are only generalities, the separation between the "haves" and "have-nots" in Chile makes it one of the most stratified societies in the world. This division further complicates the SMO issue because of the inherent inequalities in its administration. Similar to the U.S. draft experience of the Vietnam era, the rich escape military service rather easily, while the armed forces filled their ranks with more marginalized segments of the population, like the urban poor. In Chile there are special exemptions for national caliber athletes and those with dependents, but as with the U.S. draft in the 1960s, Chilean college students comprise the largest segment of those excused from military service. While the *Universidad de Chile* is affordable and well respected, with fierce national competition, dozens of private universities have sprung up in Santiago in recent years.[36] Although these private universities do not enjoy the same prestige as the *Universidad de Chile* or *Universidad Católica*, a student with the financial means but not the grades can still get a university education.[37] In short, the rich kids do not get drafted. As it exists today, the system of SMO tends to perpetuate and exacerbate the division of Chilean society between pro-military and anti-military sectors.

Due to these tensions, reforming the way the Chilean armed forces fill their ranks could markedly improve civil-military relations. Indeed, a remarkable level of success in this area has already been achieved in the last few years. In 1993, the army reduced its SMO term from two years to only one, beginning a period of "flexibilization" of the SMO system. In addition to reducing the service terms, flexibilization also brought increased incentives for recruits in all three branches. Although still being implemented, these incentives chiefly consist in practical

[36]Now Lagos' Minister of Defense, Mario Fernandez noted at a 1998 symposium on SMO given by the Center for Military Investigation and Study (CESIM) that "in my university days, there were only eight universities in Chile... Today we have one hundred and fifty registered institutions of higher learning that contribute to the avoidance of military service." *Memorial del Ejército de Chile* No. 458 (1998). Pg. 149.

[37]It also bears mentioning that when students do not score well enough on the PAA test to gain admittance to one of the better or "traditional" universities, they can attend private academic "institutes" to prepare better and try again. The academic exemption from SMO applies equally to these institutes as to universities.

job training during service and job placement assistance upon completion of duty.[38] Making military service more attractive led to the 1997 institution of a two-phase induction, taking volunteers first and then calling draftees to fill the remainder of the required spaces. The Ministry of Defense launched a vast marketing campaign to attract voluntary recruits and found substantial success. By the 1998 induction cycle, 42% of recruits had volunteered for duty, and in 2000 the figure reached 68%.[39]

In many ways, the flexibilization of SMO reacted to negative publicity received by the armed forces, almost exclusively the army, for repeated instances of recruit abuse and death during the early 1990s. However, well-publicized cases of conscript death and suicide since the start of flexibilization have understandably canceled out its successes in the public eye. Not only have these cases nullified any credit the military might have received for relaxing the system, but instances of abuse, however isolated, hold public attention on the issue. On one hand, these cases substantiate arguments for SMO's abolition, but at the same time they fuel anti-military demagoguery. While true that the military alone bears responsibility for these cases of mistreatment and death, such bad press is the last thing it needs at this juncture.

Further reforms to the SMO system will come into effect in the next few years. Chiefly, conscripts will have some choice over which branch they serve in and where in the country they complete their service. In addition to allowing conscripts to stay closer to home, reforms have sought to make the period of service more comfortable by permitting greater visitation and communication between conscripts and their families. When polled on their chief complaints upon completing military service, conscripts' primary complaint related to "distance from the

[38]See Ministry of Defense web page on SMO incentives at http://www.defensa.cl/servicio/incentivos.html. Accessed 21 January, 2001.

[39]1998 figure from Meneses, *et. al.,*23. President Lagos quoted the 2000 figure in a speech 5 September, 2000. http://www.defensa.cl/ministerio/presidente.html.

family."[40] The government hopes that with these changes, the two-phase induction will become continually more voluntary and less obligatory. The military and the Ministry of Defense are implementing these reforms gradually, together with a continued strengthening of incentives, towards a 2005 deadline. Chilean legislators have proposed other different models for how the SMO system might be further reformed. One of the leading possibilities proposes the alteration of SMO to a year of civic service in general. Recruits could, for example, choose to spend a year as auxiliary personnel for the *Carabineros* rather than infantry soldiers. Yet the military is quick to point out that no constitutional or historical mandate exists for drafting conscripts into any institution other than the armed forces, and that reforms must not interfere with their ability to fill annual quotas.

Obligatory military service will remain in Chile, at least in the foreseeable future, and the government has made no signs of a willingness to an objection of conscience exemption.[41] Observers within and without the military have offered the opinion that obligatory service could end in another five years. But while SMO endures, the most glaring, and most rectifiable, issue remains the abuse or mistreatment of conscripts. The military may offer excuses about the need for strict discipline over conscript soldiers, but the institution would be far better served by defeating its notorious reputation than preserving some marginally higher level of discipline. The military has little room to complain about social agitation against SMO and the press' fixation on isolated cases when it has not yet proven capable of managing the abuse problem. In the ideal scenario, the military, mainly the army, will gain control over this problem and eliminate recruits' fears of SMO. At the same time, the continuing reforms scheduled for 2005 completion and the furtherance of incentives will hopefully continue the trend of increasing voluntarism. This positive tendency indicates that SMO will steadily become a lesser point of contention. By its very nature, SMO affects a large and annually replaced constituency. If SMO

[40] *Armas y Servicios No. 73,* October (1999): 51.
[41] See Meneses, *et. al.*, 24.

reform can approximate an abuse-free, all-volunteer ideal, reduced pressures on the military and government will consequently reduce tension in civil-military relations. Such improvements, together with the right legislative environment could even eliminate the SMO system altogether. But however it is achieved, the elimination of SMO as a prominent and divisive social issue will diminish societal dissent on military issues. Much of civil-military relations must take place on the level of political elites. But SMO reform can also improve relations on the everyday, interpersonal level.

Civil-Military Relations at the Personal Level

Lest we look exclusively at the interaction of political elites, the societal attitude towards the military, and civil-military relations, deserve examination. Indeed, the attitude of Chilean society towards the military merits a far more extensive study than this work permits. The rifts in Chilean society persist from the deep wounds dealt by the 1970s and the military cannot be easily separated from its place in the social memory. Only the time of a generational change can heal these wounds. Those who were most directly affected by the violence surrounding the military regime's rise cannot reach dispassionate compromise with the past as quickly and easily as the political elite can. Human rights groups carry on the fight for justice, while right-wing groups try to defend their interpretation of the military regime. We have already seen these segments of political culture at work, from the *Agrupación de Familiares de los Detenidos Desaparecidos* and the FECH on the left to the *Fundación Augusto Pinochet* and the MVAP on the right. But in addition to these organized political and ideological advocates, social debate over the military exists on an ordinary and personal level in the streets of Santiago and throughout pop culture. Graffiti and publications in Santiago criticize the Pinochet regime and the continuing role of the military in politics. The music of Chile's most popular groups carry anti-military themes. While a prevalent liberalism within the arts comes as no surprise and serves an essential social function, the anti-military rhetoric can take on a life of its own and foster resentment among officers.

Young officers, who entered service after the democratic transition, feel particularly misunderstood by the Chilean youth, who the officers consider easily influenced and poorly informed. Chilean officers feel that many musical groups, for example, go beyond social protest to the point of cultivating a hatred for the military among Chilean youth.[42] Whether or not the prevalent anti-military sentiment in pop culture is justified, it does perpetuate the profound mistrust between the military and its civilian opponents.

The schism over the military often becomes one of image. In contrast with the short hair and cleanly shaven faces of los militares, the anti-military youth sport long hair and beards. While this may have more to do with youth than anti-military ideology, the military has proven conscious of a visible tension on Santiago streets. Chilean officers are instructed not to wear their standard camouflage uniforms or to carry their sidearms in Santiago. In between home and work they can wear the business gray uniform if they must. Officers tell of the fearful or angry looks and comments they receive when wearing their uniform in public in Santiago.[43] This represents a stark contrast to the nature of street-level civil-military relations elsewhere in the country.

Chile is a highly centralized country with a third of the country's fifteen million inhabitants living in greater Santiago. But the attitude of civilians and the relations between them and the military are greatly different in the other twelve provinces. Away from Santiago, particularly in the extreme north and south, the strong military presence is notable. In the provinces, soldiers and officers wear their combat uniforms everywhere and no one bats an eye at an officer's sidearm.[44] This more relaxed attitude towards the visible symbols of military power

[42]Heavy metal, rap and hip-hop are all immensely popular musical styles adopted by Chilean groups. Whether or not these types of music are inherently "angry," they do lend themselves well to political or ideological outrage. Reggae has also been widely adopted in Chile, and though its pacifist ideology could be construed as anti-military, it is not imbued with the same anger or antagonism as other music.

[43]Interview with Teniente Gustavo Lizana, *Regimiento Buin*, Santiago, 4 January 2001, and others.

[44]Interview with Teniente Mario Lopez, Escuela de Suboficiales, Maipu, 5 January 2001, and others.

typifies the better state of civil-military relations away from the politically-charged capital. This may stem in part from the historical role played by the military in provincial development. In the distant reaches of Chile, towns and cities grew up around army regiments and they remain an essential part of the economy and civic life. Officers who have served away from Santiago report that the regimental commander had been a counterpart to the town mayor and that the regiment served as a civic center, hosting popular social events during the holidays.[45] The reforms to SMO that allow families to visit their sons' regiments, and introducing location choice for the recruit to stay close to home will only strengthen these local ties.

This kind of peaceful coexistence could not occur in Santiago, a politically dense city with a sharp collective memory. The majority of political violence, disappearances and torture under the military regime took place in Santiago. Further, the sprawling metropolis has a minimal military presence relative to provincial towns and cities with regiments. The greater ratio of inhabitants to military personnel neither necessitates nor facilitates the kind of interpersonal exchange that characterizes relations between soldiers and civilians in the provinces. Also, in spite of what may go on in the other twelve regions, what happens in Santiago is what really matters for Chilean politics. What these examples from the provinces do tell us is that antagonism between civilians and the military at street level need not be a foregone conclusion. As generations pass and the political climate cools, there is no reason to assume that civil-military relations will not pacify-- even on the personal level and even in Santiago.

Polling data indicate that even on this personal or societal level, the perception of the military is not as bad as we might assume based on the strength of the rhetoric on both sides. Most of the available polls relate to the Pinochet case as a timely and high-profile issue. While

[45]Interviews with Teniente Max Pavez, *Regimiento Buin*, Santiago, 6 January 2001, Subteniente Gonzalo Lopez Craviolatti, *Regimiento Granaderos*, Santiago, 2 January 2001, and others.

not a direct litmus test on societal perception of the military, the strong identification, on both sides of Pinochet with the armed forces ensures a high correlation. During Pinochet's detention, 69% of Chileans believed he should face trial in Chile, while 19% opposed his prosecution.[46] Following Guzmán's first indictment of Pinochet this past December, 50% of those polled expressed support for the indictment, with 33% against.[47] Meanwhile, public opinion also rated highly the behavior of the armed forces as an institution, and Izurieta specifically, with regard to the Pinochet case. The Lagos administration has also received public approval of its handling of civil-military relations. Asked to grade the Lagos administration on sixteen separate issues, respondents to a recent CEP poll gave him a 4.48 for his "Relations with the armed forces," his fourth highest mark behind "Foreign relations," "Border issues" and "Education."[48] His lowest grades related to crime and poverty, which the same poll rated at around ten times more important to the Chilean people than human rights issues. While human rights and the military remain divisive topics in Chile, the polling data indicates no overwhelming anti-military sentiment in society. Pinochet has both hard-core supporters and enemies, although there are more of the latter. However, the Chilean people seem to have successfully separated Pinochet the individual from the military institution. Pinochet's departure from the army opened up many new possibilities. His final departure from the Chilean political picture will finish the transition to a new era in Chilean history.

[46]CEP, *Estudio Social y de Opinión Pública*, September-October, 1999. *op. cit.*

[47]Centro de Estudios de la Realidad Contemporánea (CERC), *Barómetro CERC*, December 2000. *op. cit.*

[48]CEP, *Estudio de Opinión Pública Nº 40*, November-December, 2000. http://www.cepchile.cl/encuestas/nov_dic_00.

Conclusions

A Positive Outlook

Analysts writing on Chilean democracy and civil-military relations only a few years ago held an understandably pessimistic vision for the future. Almost the entire decade of the 1990s was marked by a stagnant antagonism between the unsubordinated military and the first two postauthoritarian *Concertación* governments. The arrest of Augusto Pinochet changed the attitudes of leaders on both sides of the civil-military divide and redefined the rules of civil-military interaction. The military began to come free of a burdensome legacy and new faces occupied the front lines of civil-military relations. Not only have civil-military relations pacified since Pinochet's retirement, but they have stayed "civil" amidst the prosecution of Pinochet and dozens of other retired officers on human rights charges. In a way not possible before the *Caso Pinochet* began, the military institution and its relations with the civilian government are witnessing sweeping change.

In guessing the future direction of civil-military relations, the next five years of Lagos' presidency hold several opportunities for continuing civil-military cooperation and consolidating democratic control over the armed forces. Some of the "safeguards" or artificial constraints emplaced by the military on the new democracy have gradually come to produce the opposite of their originally intended effects. While these prerogatives may have been a necessary negotiation tool in securing the military's cooperation in the pacted transition, their sustainability is

approaching an end. Just as the *Concertación* presidents converted the automatic minimum for defense spending into a maximum, other assurances of the military's political role are beginning to expire. Only Eduardo Frei Ruíz-Tagle currently exercises the right to a life seat in the Senate accorded to former presidents.[1] All of the designated senators must be former government officials, whether from the executive, military or the judiciary. Upon the completion of Lagos' term in 2006, the *Concertación* will have governed Chile for sixteen years-- only a few months less than the military regime. Although the 2005 elections lie far too distant to predict, the *Concertación* has already consolidated a democratic system that will not soon be undone. The passage of time and three sequential *Concertación* presidents have steadily reduced the vestigial Pinochet appointees and built up a base of *Concertación* officials that qualify for an eight-year term as a designated senator. While four of the designated seats do remain reserved for former commanders in chief, chosen by the COSENA, the president's control over naming the commanders in chief will presumably produce the most civilian-friendly designated senators and COSENA possible.[2] The power of this presidential prerogative will be seen over the next five years of Lagos' term. Lagos will name *Senadores Designados* in 2005, and will become a *Senador Vitalicio* himself in 2006. As Lagos points out, "the Right is beginning to realize that the institutions they thought favored the status quo are now working against them... I can assure you that the Right would be very interested in seeing that these senators [*designados*] disappear and that I not name any."[3]

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[1]Patricio Aylwin was not eligible to become a Senador Vitalicio because his term was shortened to four years during the negotiations preceding his election. Pinochet, of course, had entered the Senate before his arrest in London and was impeached shortly after return.

[2]The seat reserved for a former army commander in chief stands vacant now, for Pinochet's 25 year hold on the office did not permit any other qualified candidates. We can assume that Izurieta will take that place after retiring from the army next year and will hopefully continue to be an equally positive force for civil-military reconciliation and democratic consolidation.

[3]Lagos interview in *El País*, 27 August, 2000. http://www.elpais.es/p/d/20000827/internac/lagos.htm. Author translation.

As seen in the last chapter, Frei's selection of Izurieta proved a fortuitous choice. Lagos can constitutionally choose a commander in chief from among the five senior generals in each branch when the current commanders retire next year. Although his choice is limited to five individuals, Lagos has the ability to influence who becomes eligible. Employing the same promotion freezing technique that Aylwin used, Lagos can halt the careers of certain high ranking officers to ensure that his choices ascend to the top five spots. By improving, if not fully dictating, his options, Lagos can be sure to pick a commander in chief amenable to the Izurieta model of leadership and governmental relations. Lagos' influence over the composition of the high command will figure even more prominently in the 2006 succession. The persistence of the Pinochet case greatly complicates the job of commander in chief. As mentioned earlier, Pinochet's natural death provides the only definitive end to the case, but it remains uncertain precisely how much longer the retired general will be around, or if he will be tried and judged before his death. But hopefully Izurieta's successor will be able to walk the fine line as long as necessary between the politics of the Pinochet era and looking to the future.

Whether or not Izurieta's successor must handle the Pinochet distraction, he will oversee the continuing implementation of internal reforms to the army, most particularly modernization, education and obligatory military service. These reforms have the potential to fundamentally change not only army and the other armed forces, but also the way that the military interacts with the civilian government and the civilian population at large. These internal reforms and the careful negotiation and cooperation at the highest level between the administration and the high command ensure the consolidation of peaceful, democratic civil-military relations. The 1980 Constitution remains an issue, but the military prerogatives against absolute civilian control have

not proven a hindrance to amicable civil-military relations, effective defense policymaking or Chilean democracy in general.

Misunderstanding and distrust will continue to plague the relationship between the military and civilians, particularly at street level. We should not expect these feelings to disappear, with the drama of the 1970s and 1980s a not-too-distant memory for most Chileans. Only the slow passage of time can and will process these emotions. But nevertheless, Chile holds on the right course, dealing with the past as it must and moving towards the future. In the sensitive and essential arena of civil-military relations this has meant staying sensitive to human rights questions while maintaining the military's goodwill and carrying out a broader policy program. Presidents and commanders in chief have plenty of other work to do in protecting and governing the nation besides trying to get along with each other.

Democracy is the only game in town in Chile and all parties, including the military, have come to accept this fact. On the strength of this qualification we could easily consider Chile a consolidated democracy. Looking at the spectrum of military subordination, Chile's democracy has some room for improvement or further consolidation, but the Chilean case lies on the verge of full democratic control of the military. Evidence indicates that the elimination of the last undemocratic military prerogatives lies well within reach. Eleven years since its rebirth, Chilean democracy is coming of age into a peaceful era unhindered by the past.

Beyond creating a positive outlook for civil-military relations and Chilean democracy, the recent developments analyzed here give reason to reevaluate the treatment of the Chilean case by

the canonical literature. The twists in the Chilean case during the last several years underscore the importance of leadership and the interaction of political elites during democratic transition and consolidation and reaffirm the efficacy of pacted transitions; even those that threaten military tutelage. Granted, the Chilean case remains highly unique within the "third wave" of democratization, especially for its history of democracy, strong civil-society and high level of development. Nevertheless, the still evolving Chilean experience should instill analysts with greater caution in assessing democratic consolidation and civil-military relations in postauthoritarian democracies. We can not afford to treat militaries as unchanging black boxes. The internal dynamic of a military institution, its level of professionalism and its institutional strength figures just as greatly in its return to the barracks as in its original intervention in power.

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